

Public Records (Scotland) Act 2011

City of Edinburgh Council and Licensing Board Assessment Report

The Keeper of the Records of Scotland

23 June 2016

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1. Public Records (Scotland) Act 2011

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

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

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

2. Executive Summary

This report sets out the findings of the Keeper's assessment of the RMP of City of Edinburgh Council and Licensing Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 31 December 2015.

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

3. Authority Background

The City of Edinburgh became a unitary council area in 1996, under the Local Government etc. (Scotland) Act 1994, with the boundaries of the post-1975 City of Edinburgh district of the Lothian region. As one of the unitary local government areas of Scotland, the City of Edinburgh has a defined structure of governance, generally under the Local Government etc. (Scotland) Act 1994, with The City of Edinburgh Council governing on matters of local administration such as housing, planning, local transport, parks and local economic development and regeneration. The Council is made up of 58 elected councillors. They represent 17 wards within the city. 10 wards have 3 councillors each and 7 wards have 4. The Full Council meets once a month and takes decisions on important issues such as the Council budget.

The City of Edinburgh Licensing Board is responsible for regulating the sale of alcohol to the public, and certain gambling activities. The Board is an independent group of 10 City of Edinburgh Councillors. It does this by issuing Alcohol Licenses and Betting and Gaming Licenses and permits.

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 City of Edinburgh Council and Licensing Board RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

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

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>The Council's Records Management Plan (RMP) names Andrew Kerr, Chief Executive, as the officer with senior management responsibility for records management. The Foreword to the RMP, from Mr Kerr, endorses the RMP and highlights the Council's commitment to ensuring best practice in records management.</p> <p>The Council has submitted its Scheme of Delegation (evidence 1.1), updated in February 2016 following re-structuring of the Council, in which Section 4.2(g) (page 11) which shows that the Chief Executive has the responsibility for monitoring compliance with PRSA.</p>

			<p>The senior manager responsible for records management within the Licensing Board has been identified as Carol Campbell, Head of Legal and Risk, who is the Clerk to the Board. Provided as evidence is an email from the Depute Clerk to the Board stating that it agrees to adopt the RMP.</p> <p>The Head of Strategy has been designated as the Senior Information Risk Owner (SIRO) and is supported by the Information Governance Manager, who is the Deputy SIRO. A network of Information Asset Owners (IAOs) and an Information Council. The IAOs are senior managers drawn from Service Areas across the Council and are responsible for the information assets within that area. A document setting out the roles and responsibilities of IAOs has been submitted as evidence.</p> <p>The Information Council comprises senior managers and is responsible for taking forward the Council's information governance annual plan, strategic overview of information governance and for reviewing compliance with the RMP. The Terms of Reference (submitted as evidence) sets out the composition and responsibilities of the Information Council.</p> <p>The 'Areas for Improvement' section of this Element states that the Council will develop reporting procedures for IAOs to highlight risks and opportunities and also finalise and provide training for this important role. It also states that it will finalise and provide training for the SIRO and Deputy SIRO. The Keeper commends this commitment to training.</p> <p>The Keeper agrees that the Council and Licensing Board have identified appropriate individuals to this role as required by the Act.</p>
<p>2. Records Manager <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The RMP identifies Henry Sullivan, Records Manager, as having operational responsibility for records management within the Council and also for the Licensing Board. A diagram of the Information Governance Unit (IGU) structure has been submitted showing where the records manager fits in to the overall organisational</p>

			<p>structure. The Records Manger's Job Description has been supplied which clearly shows records management and compliance with PRSA as key objectives.</p> <p>The Records Manager is supported by 2 members of staff, a Records Management Officer and a Project Officer (Records and Information Compliance). Job Descriptions have been supplied for each of these members of staff. The Job Description of the Records and Information Compliance Manager has also been supplied showing a wider responsibility for information governance but also for compliance with PRSA.</p> <p>The Records Manager is also supported by a series of Directorate Records Officers (DROs). The Records Management Policy (section 6.3.3) states that each Director must nominate at least one DRO for each Directorate. A guidance document has been created which outlines their roles and responsibilities and has been submitted as evidence.</p> <p>The Council is also developing a series of Data Stewards who will report to IAOs. Their roles and responsibilities have been defined and set out in a guidance document, which has been submitted. The Keeper commends the creation of a network of DROs and Data Stewards to assist in compliance with the Council's records management requirements.</p> <p>Sections 4.8.2 and 6.10.7 of the Records Management Policy shows that the IGU is responsible for developing and maintaining the Council's RMP.</p> <p>The Keeper agrees that the Council and Licensing Board have identified an appropriate individual to take operational responsibility for records management as required by the Act.</p>
3. Policy Compulsory	G	G	The Council has submitted its Records Management Policy, version 1.0 approved by the Corporate Policy and Strategy Committee on 30 September 2014. The Policy

<p><i>element</i></p>			<p>describes the council’s corporate approach to the creation, storage, management, disposal and archiving of its records. The Policy clearly sets out the roles and responsibilities of staff in complying with its provisions. It also states the responsibilities of third parties in regards to functions it carries out on behalf of the Council. The Keeper commends the consideration of this important aspect of records management.</p> <p>As a result of Council re-organisation the review of the Records Management Policy and other key policies in the Information Governance Suite was delayed from September 2015 until the results of the re-organisation were known. Now that the new structure is in existence the suite of Information Governance Policies will go for approval by the Committee in August 2016. The Council has confirmed that these policies are still current and enforced by the Council. The Council has also committed to providing the Keeper with revised copies of the policies when available. The Council has submitted a screenshot of the area of the intranet where the Records Management Policy sits (evidence 3.1) showing that staff are able to access this and are therefore aware of their responsibilities.</p> <p>The Records Management Policy is part of a suite of interrelated policies which includes a Data Protection Policy, a Data Quality Policy, a Freedom of Information Policy and an Information Governance Policy. These are all available on the Council’s website. The Keeper commends this approach.</p> <p>Practical compliance with the Policy will be ensured by the creation of local records management manuals detailing the procedures in place. Guidance on creating manuals is provided to local business areas.</p> <p>The ‘Areas for Improvement’ section of this Element show a commitment to providing training, implementing an Enterprise Content Management (ECM) solution, developing risk reporting mechanisms for IAOs, and creating procedures to</p>
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			<p>ensure contractors comply with the Council's records management requirements.</p> <p>The Keeper agrees that the Council's current Records Management Policy outlines its corporate approach to records management and requests that he is sent a copy of the revised Policy when available.</p>
<p>4. Business Classification</p>	<p>G</p>	<p>G</p>	<p>The Council has an operational two-Business Classification Scheme (BCS) which has been approved by the Corporate Leadership Team (evidence 4.1). The structure of the BCS is controlled by the Information Council and maintained by the IGU and is based on the Scottish Council on Archives' amended Local Government Classification Scheme. The Council's Information Asset Register uses the function and activity structure of the BCS and a screenshot of this has been supplied (evidence 4.2). The BCS also forms the basis of the retention schedules, which effectively add a third tier to the BCS structure.</p> <p>The BCS is used as a baseline structure for re-organising shared drives and is searchable on the Council's intranet. The IGU has assisted local business areas in restructuring their shared drives to follow the structure of the BCS.</p> <p>The BCS will also form the basis of the structure of the proposed ECM system which is currently in the process of being procured. It will also be developed alongside the Council's Information Asset Register.</p> <p>Screenshots have been supplied which show the records management section of the Council's intranet and this area provides guidance to staff on how to use the BCS and retention schedules. A sample of the BCS for Transport and Infrastructure has been submitted.</p> <p>The 'Areas for Improvement' section of this Element also explains that the Council intends to:</p>

			<p>Review and classify contracts according to BCS/retention schedules in order to identify public records which are being created by contractors;</p> <p>Link IT systems to the Information Asset Register so that content can be classified and managed in a manner compatible with the BCS;</p> <p>Roll out of projects to impose BCS structure on shared drives;</p> <p>Implementation of the BCS into the ECM system and transferring records from shared drives to ECM system;</p> <p>Develop an awareness raising campaign for the BCS.</p> <p>The Keeper agrees that the Council has an operational BCS which classifies the categories of records and information created in the course of carrying out its functions.</p>
5. Retention schedule	G	G	<p>The Council has a retention schedule which is based on the Scottish Council on Archives Records Retention Schedules (SCARRS). The Keeper recognises that this is an entirely appropriate model to assist local authorities in developing retention schedules. The Council has submitted its retention schedule which covers the records created by the Licensing Board in the execution of its functions.</p> <p>Sections 4.5.4 and 6.10.5 of the Records Management Policy commits each Directorate to having and maintaining an approved retention schedule. The Council's Retention Rule Management Procedure, supplied as evidence, governs how this happens. The development and maintenance of retention schedules is undertaken at a local level by DROs in conjunction with the IGU.</p> <p>The 'Areas for Improvement' section of this Element includes projects that the Council intends to undertake, such as developing a formal review cycle for the</p>

			<p>retention schedule. It also highlights a commitment to reviewing boxes of paper stored in the Council’s Records Centre, to build retention into the procurement of IT systems and the imposition of retention periods onto unstructured electronic records. From a technical perspective, there is also a commitment to configure the ECM system to include the retention periods set out in the schedule and to align bespoke business systems to retention rules. There is also a proposed awareness campaign to raise the profile of the retention schedule. The Keeper looks forward to hearing about the progress of these projects.</p> <p>The Keeper agrees that the Council has a retention schedule which identifies the disposal actions to be taken when a record reaches the end of its specified retention period.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p>A</p>	<p>G</p>	<p>There is a commitment in the Council’s Records Management Policy (section 4.5) to ensure that records are destroyed securely and in compliance with the retention schedule and that record destruction is authorised and logged appropriately.</p> <p>The Council has described the following arrangements:</p> <p>Paper – Lockable confidential waste paper bins are provided across the Council’s buildings. The collection of this is managed in-house by the Council’s Trade Waste Services section. The destruction of confidential paper waste is contracted out to Scottish Braille Press. Guidance has been provided to assist staff in the secure disposal of records and this has been submitted as evidence. Further guidance is available on the Council’s intranet. A sample of a template disposal log form has also been provided as well as sample destruction certificates.</p> <p>The disposal of records stored at the Council’s Record Store is managed jointly by the Council’s records management staff and a third party, Iron Mountain. There are procedures in place to identify records at the end of their lifecycle involving the relevant manager. A workflow diagram of the process has been supplied. Once it is</p>

			<p>confirmed that destruction can take place this is carried out by Iron Mountain and a destruction certificate is produced to document this. Again, a sample certificate has been provided.</p> <p><u>Electronic records</u> The RMP states that the routine destruction of electronic records is an area for improvement for the Council. There are areas of good practice within the Council and a destruction guide for the Health and Social Care department has been supplied as evidence. It is envisaged that the implementation of records management manuals and the ECM solution across the organisation will allow the Council to systematically destroy records at the end of their retention periods. The ‘Areas for Improvement’ section of this Element highlights a commitment to build in records disposal to the procurement of IT systems. The Keeper requests that he is kept updated as work progresses in this area.</p> <p><u>Hardware</u> The RMP states that the majority of IT hardware is provided by BT Group and obsolete or surplus hardware is returned to them for secure destruction. A sample destruction certificate has been provided as evidence.</p> <p>Obsolete hardware not provided by BT Group is returned to the Council’s ICT service desk and destroyed by suppliers when required. A sample destruction certificate from the provider responsible for disposing of hardware not returned to BT Group (evidence 6.1) has been submitted as evidence.</p> <p><u>Back-ups</u> The Council has submitted evidence which relates to the current procedures in place. At the time of the submission of the RMP their IT services were provided by BT Group. As of 1 April 2016, the contract changed to CGI. Emails from the provider</p>
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			<p>(evidence 6.3 and 6.4) describe the processes in place to overwrite the various back-ups that are used and the destruction of media used by the Council. Back-ups are overwritten/deleted/destroyed after a maximum of 90 days.</p> <p>The Keeper can agree this Element on an ‘improvement model’ basis. This means that the authority has identified a gap in provision (work being undertaken to standardise the destruction of electronic records) and have identified measures to close this gap. As part of this agreement the Keeper requests that he is kept informed of progress in closing this gap.</p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The Council operates its own in-house archive service (Edinburgh City Archives (ECA)) for records selected for permanent preservation. It also houses records created by the Council’s predecessors and local businesses and organisations. The archive has environmentally controlled storage space which is managed to PD5454 specifications. There is also a commitment in the Records Management Policy to best practice archival provision. The Keeper commends this commitment.</p> <p>The Council's Archival Transfer Procedure (evidence 7.1) has been supplied as evidence which sets out the procedures for transferring non-current records to the archive service.</p> <p>ECA maintains a register of accessions and records this information on its CALM cataloguing software. Records selected for permanent preservation are catalogued to international standards. A screenshot of the CALM system has been supplied.</p> <p>As outlined in Element 3, the Council has undergone significant re-structuring and as a result some documents still need to go through the Council’s governance processes. The Keeper can accept this and looks forward to receiving these approved documents when they become available. The Council has submitted additional documents as evidence under this Element. These include a redacted version of the Council’s Accession Register (evidence 7.2), an Archive Deposit</p>

			<p>checklist (evidence 7.3), an Archive Deposit Form (evidence 7.4) and an Archive Deposit Agreement (evidence 7.5). These show that there are procedures in place to allow ECA to receive transfers from both the Council and external sources.</p> <p>The IGU is also in the process of identifying space for the creation of a digital repository for the storage of electronic records and is also liaising with other local authorities to find suitable software to allow it to do this. The Keeper commends the recognition of the need to develop an archival solution for electronic records.</p> <p>The draft job description of the Archives Service Manager and Archivists have also been submitted.</p> <p>Future actions have been identified. The provision of training in archival transfer will be done as part of wider records management. The IGU intends to develop its relationships with service areas to ensure that these are aware of their responsibilities. The building-in of the ability to transfer/migrate electronic records from new ICT systems to a digital repository will be included in the procurement process.</p> <p>The Keeper agrees that the Council has procedures in place to transfer records selected for permanent preservation to an appropriate archive.</p>
<p>8. Information Security <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The Council has submitted its Electronic Information Security Policy (v1.0, issued on 30/11/2004). This outlines its approach to ensuring the security of the electronic information it creates and holds and this is done in partnership with its IT provider. The RMP states that the Policy is currently being reviewed. The Keeper requests that he is sent the updated Policy once it is operational.</p> <p>Council staff are required to complete Information Governance and ICT Acceptable Use e-learning modules on induction and thereafter as part of an annual refresher. Samples of this training have been submitted as evidence.</p>

			<p>The Council also has a suite of other policies and guidance which have been submitted as evidence, including:</p> <p>Acceptable Use Policy which sets out the standards of behaviour expected by the Council whilst using the Council's systems and includes the use of social media. A similar draft policy has been submitted which applies to elected member;</p> <p>The Council's security requirements as part of its contract with its IT contractor;</p> <p>The Council have also provided detailed practical user guidance for data encryption;</p> <p>A draft factsheet providing guidance on using mobile devices;</p> <p>A factsheet detailing the steps to be taken in relation to records in the event of office relocation or closure.</p> <p>The Council also has an Information Security Manager who sits on the Data Council and deputises for ICT on the Information Council. The Job Description for this role has been submitted. The Information Security Manager is supported by an Information Security Officer.</p> <p>The Council has submitted its Public Services Network (PSN) certificate to show that its infrastructure is secure enough to allow it to connect to the Network and share information in this manner.</p> <p>With regards to physical security, the Council has a clear desk policy and staff have secure areas in which to lock confidential records. Access to the Council's Records Centre is monitored by the necessity of signing in to the facility. The procedures in place for managing this have been supplied as evidence.</p>
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			<p>The Keeper agrees that there are robust procedures in place to protect the information created and managed by the Council.</p>
<p>9. Data Protection</p>	<p>G</p>	<p>G</p>	<p>The Council has submitted its Data Protection Policy which is also published on their website. The Council has submitted a screenshot of the intranet area in which the Data Protection Policy is available to staff (evidence 3.1). The Policy is also available on the Council's website. The Keeper commends the publication of key policies. As described in Element 3, after the Council's recent re-structuring the Policy is also awaiting review and will be submitted to the Committee for approval in August 2016. The Council has confirmed that the Policy is still operational and the revised Policy will be submitted to the Keeper when available.</p> <p>The Council is registered as a Data Controller with the Information Commissioner's Office (registration number Z5545409). The Licensing Board is registered separately (registration number Z5410422).</p> <p>The Council has a Data Protection team, who as well as managing the registration with the Information Commissioner, are also responsible for the provision of Data Protection advice to service areas and for responding to Subject Access Requests.</p> <p>General Data Protection advice is provided on the Council's intranet and a screenshot has been supplied evidencing this. The advice covers areas such as conducting a Privacy Impact Assessment and reporting a data breach. The particular guidance in these areas has also been provided as evidence.</p> <p>The RMP also states that Data Protection is included in the mandatory Information Governance e-learning package. Screenshots of this training have been submitted as evidence.</p> <p>The Council has included clauses on Data Protection in its standard contract for</p>

			<p>goods and services so that third parties aware of their and the Council's responsibilities. These clauses have been provided as evidence.</p> <p>The Job Descriptions of the Data Protection Manager, Data Protection Officer and Information Compliance Officer (Data Protection) have been supplied as evidence.</p> <p>The Council has also undergone a consensual Data Protection audit by the Information Commissioner's Office in the areas of records management, data sharing and subject access. The executive summary of the final report has been submitted as evidence showing that the Council has received a 'Limited Assurance' rating that procedures are in place for compliance with Data Protection requirements. The Keeper commends the use of the Information Commissioner's Office to provide an independent overview of provision.</p> <p>The 'Areas for Improvement' section of this Element states that, amongst others, Data Protection should be included in general Information Governance training for managers, the Data Protection Policy should be reviewed, Data Protection guidance and Subject Access Request procedures for staff should also be reviewed. The Keeper looks forward to being updated on these issues.</p> <p>The Keeper agrees that the Council is aware of its responsibilities under the Data Protection Act 1998 and has procedures in place to ensure compliance with it. The Keeper requests that he is sent the revised Policy once available.</p>
<p>10. Business Continuity and Vital Records</p>	<p>G</p>	<p>G</p>	<p>The Council is obliged under the Civil Contingencies Act 2004 to have measures in place to limit the impacts of an interruption to its normal business activities. The Council is also registered to the International Standard ISO 22301: 2012 <i>Societal security – business continuity management system</i>. Under this registration the Council is assessed on its compliance by the British Standards Institute every 6 months. The Council's Certificate of Registration has been submitted as evidence.</p>

			<p>The Council has a Resilience Management System, accompanied by procedural guidance, in place which determines how the council operates its business continuity systems. The Council’s Resilience Policy, which forms part of the System, has been submitted as evidence. A screenshot has also been submitted showing that vital records are included under the System.</p> <p>The Council has an overarching Business Continuity Plan (BCP) which is supported by individual service area BCPs. These are all approved by the Council Leadership Team.</p> <p>The Council has identified around 145 essential activities for which Business Impact Analyses (BIA) have been conducted in order to assess the impact of not being able to carry out the activity. These BIAs identify records vital for the carrying out of these activities and whether these are backed up and where. A sample of the guidance for conducting BIAs has been submitted showing that vital records forms a key part of this process.</p> <p>Guidance for the identification of vital records has been provided for managers in the Resilience Management System. Guidance on how to secure and manage vital records has also been provided to staff on the Council’s intranet. This guidance has been submitted as evidence. It contains an Appendix entitled ‘Vital Records Schedule’ which is used to identify a business area’s vital records. The Information Asset Register also identifies information that relates to an essential activity.</p> <p>ECA has a contract with Harwell Document Restoration Services as part of its disaster management procedures. The City Chambers’ Disaster Plan has been submitted evidencing the procedures that should take place in the event of an emergency. A separate Plan has been submitted covering the Murrayburn facility. The Council’s Records Centre is subject to Iron Mountain’s business continuity processes. A sample of these processes has been supplied.</p>
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			<p>An extract from the Council’s contract with its IT provider, BT Group, has been provided. This shows that the contractor is required to back-up the Council’s IT systems in a way that allows recovery of the information in the event of an incident.</p> <p>The Keeper agrees that there are robust procedures in place to allow the Council to resume its normal business in the event of a disaster and that appropriate consideration has been given to identifying and protecting vital records.</p>
11. Audit trail	A	G	<p>The Council has provided information of the procedures in place for tracking paper records held at its records centre. Screenshots have been submitted showing the file history, check-out and destruction procedures in place. There is also a process in place to ensure the quality of data entered about files onto the system.</p> <p>The management of physical and electronic records at a local level is done by individual service areas. Staff can access advice and training from the records management team and also have access to training through the Information Governance e-learning module. Samples of this training have been submitted as evidence. The IGU is in the process of promoting the records management manuals as a way of governing the local records management provisions, including topics such as file tracking registers, document naming conventions, version control and the creation of PDFs as final versions.</p> <p>The Council also uses a number of bespoke business systems which contain audit trail functionality. Some areas, like Social Work, maintain paper files as well as using a line of business system. Evidence has been submitted showing how this ‘hybrid’ system is managed.</p> <p>The Records Management Team can assist local business areas in developing improved shared drive areas. In addition, it is anticipated that the move to an ECM solution will greatly assist with the provision of audit trail functionality for</p>

			<p>unstructured records. The Output based specification 107 document for the procurement of the ECM system sets out the Council's requirements of the solution.</p> <p>The Keeper can agree this Element on an 'improvement model' basis. This means that the Council has identified a gap in provision (audit trail provision for unstructured records held in shared drives) and has identified a solution to close the gap. As part of this agreement, the Keeper requests that he is kept informed as work to close this gap progresses.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>The Council's IGU consists of teams responsible for records management Freedom of Information, Data Protection and ECA. A diagram showing the structure of IGU and its governance structure has been submitted.</p> <p>The Information Governance Manager, Records Manager, Data Protection Manager and Archives Service Manager are all members of the Archives and Records Association and the Council is a Corporate member of the Information and Records Management Society. The Information Governance Manager and Records Manager regularly attend the Archivists of Scottish Local Authorities Working Group meetings and other archive and records management events. The Data Protection Manager attends the Data Protection sub-group of the Society of Local Authority Lawyers and Administrators (SOLAR). The Information Security Officer, who is a member of the Cyber-security Information Sharing Partnership, also represents the Council at meetings of the Scottish Local Authorities Security Group. The Job Descriptions of Records Management Unit staff as well as those of the Archives Services Manager, Data Protection Manager and Information Security Officer have been supplied as evidence, showing that formal recognition of information governance has been written into these documents.</p> <p>The activities of the IGU are described in an Information Governance annual plan. A sample from December 2015 has been provided showing progress against IGU targets. This plan is approved and monitored by the Information Council.</p>

			<p>A supporting network of Information Asset Owners at Head of Service level also exists who can also appoint staff as Data Stewards. Documents outlining the roles and responsibilities for these posts have been submitted.</p> <p>Screenshots of the Information Governance e-learning module have been submitted. This training is mandatory for staff to complete on an annual basis. The Council intends to extend the scope of this training to include further topics relating to records management. Training for Information Asset Owners, Data Stewards and Directorate Records Officers is being developed and will be rolled out once completed.</p> <p>The Keeper agrees that those staff with records management and other information governance responsibilities have these formally reflected in their job descriptions and all staff have access to training.</p>
<p>13. Assessment and Review</p>	<p>A</p>	<p>G</p>	<p>The Records Management Policy commits the Council to conducting an annual review of its RMP. This review will be carried out by the IGU, with oversight from the Information Council, and will ultimately report to the Corporate Leadership Team. The policies which support the RMP are also reviewed on an annual basis. The Committee report on the policy framework evidences a commitment to the annual review of council policies and procedures.</p> <p>The Council has also developed an information governance maturity model self-assessment mechanism which is due to be implemented at the start of 2016. This self-assessment will be undertaken by managers and the results will reported to the Information Council and will form the basis for annual planning. The IGU is working directly with the Council's Internal Audit team as partners in an audit and assurance pilot programme within Edinburgh schools. This programme has started and will continue throughout the rest of 2016.</p>

			<p>As part of this pilot, the IGU is directly assessing a sample set of schools on information governance compliance and practice, rather than relying on a self-assessment response. The Council has submitted the set of questions which will be used in the assessment process in partnership with the Council’s internal auditors (evidence 13.1). This contains a section on Information Governance. The Council has submitted the audit timetable for those schools selected to take part in the pilot project (evidence 13.2). Also supplied as evidence is a sample response from a school to the questions relating to Information Governance (evidence 13.3). The Council’s aim is to turn this pilot assessment into an annual self-assessment exercise for roll out across the whole Council at the beginning of 2017.</p> <p>The RMP states that the Council’s Internal Audit Team has carried out 6 audits of records management provision over the last 5 years. An internal audit report, and follow up work, has been submitted with regards to compliance with the PRSA. It is intended that the Team will continue to audit the Council’s information governance arrangements in the future. The Keeper commends the use of auditors as a way of ensuring compliance with records management requirements.</p> <p>The Council has also been audited for Data Protection compliance by the Information Commissioner’s Office (see Element 9 for comments).</p> <p>The Keeper can agree this Element on an ‘improvement model’ basis. This means that the authority has identified a gap in provision (lack of an assessment and review methodology) but has evidenced a clear commitment of how it intends to close this gap (a pilot programme of assessment, followed by the roll-out of a self-assessment procedure commencing in early 2017). As part of this agreement the Keeper will expect to be kept up-to-date on the progress of this project.</p>
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<p>14. Shared Information</p>	<p>G</p>	<p>G</p>	<p>The Council works closely with other organisations and if this work involves the sharing of information it is governed by formal Information Sharing Agreements. These set out the information governance requirements of the information being shared.</p> <p>The Information Council is responsible for ensuring that Information Sharing Agreements meet the requirements of the Data Protection Act 1998 and the Information Commissioner’s Code of Practice for Data Sharing. There is also a Data Sharing Sub-Group, chaired by the Data Protection Manager, which reports any issues to the Information Council. The Sub-Group’s Terms of Reference have been formalised into a document and submitted as evidence.</p> <p>The IGU provides advice on information sharing and also maintains a register of Information Sharing Agreements. A screenshot of the register has been supplied. A guidance document around the sharing of personal data has also been supplied.</p> <p>Information sharing responsibilities are included in the Information Governance e-learning package.</p> <p>The Council is also a partner in the Pan-Lothian and Borders Partnership General Protocol for Sharing Information. This group consists of the local authorities and NHS territorial boards in the Lothian and Borders area as well as Police Scotland. The Protocol sets out the responsibilities of each partner and describes the information governance requirements in place to protect the information being shared.</p> <p>The Keeper agrees that the Council has robust procedures in place to ensure that when it shares information it can do so securely.</p>
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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 City of Edinburgh Council and Licensing Board. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by City of Edinburgh Council and Licensing Board are as follows:

Element 6 - The Keeper can agree this Element on an 'improvement model' basis. This means that the authority has identified a gap in provision (work being undertaken to standardise the destruction of electronic records) and have identified measures to close this gap. As part of this agreement the Keeper requests that he is kept informed of progress in closing this gap.

Element 11 - The Keeper can agree this Element on an 'improvement model' basis. This means that the Council has identified a gap in provision (audit trail provision for unstructured records held in shared drives) and has identified a solution to close the gap. As part of this agreement, the Keeper requests that he is kept informed as work to close this gap progresses.

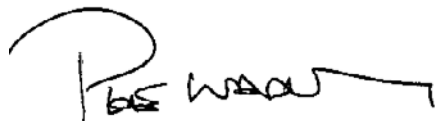
Element 13 - The Keeper can agree this Element on an 'improvement model' basis. This means that the authority has identified a gap in provision (lack of an assessment and review methodology) but has evidenced a clear commitment of how it intends to close this gap (a pilot programme of assessment, followed by the roll-out of a self-assessment procedure commencing in early 2017). As part of this agreement the Keeper will expect to be kept up-to-date on the progress of this project.

7. Keeper's Determination

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

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

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



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Pete Wadley
Public Records Officer

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Robert Fotheringham
Public Records Officer

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

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by City of Edinburgh Council and Licensing Board. In agreeing this RMP, the Keeper expects City of Edinburgh Council and 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