

**Public Records (Scotland) Act 2011**

**Public Authority  
Dunbartonshire and Argyll & Bute Valuation Joint Board**

**The Keeper of the Records of Scotland**

**18 February 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 Dunbartonshire and Argyll & Bute Valuation Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 30 September 2015.

The assessment considered whether the RMP of Dunbartonshire and Argyll & Bute Valuation Joint 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 Dunbartonshire and Argyll & Bute Valuation Joint Board complies with the Act can be found under section 7 of this report with relevant recommendations.

### **3. Authority Background**

The Dunbartonshire and Argyll & Bute Valuation Joint Board was established as part of the 1996 reorganisation of local government in terms of The Valuation Joint Boards (Scotland) Order 1995 and is vested with the functions of the three valuation authorities (Argyll & Bute Council, East Dunbartonshire Council and West Dunbartonshire Council) in the former Strathclyde Region. With the agreement of the three councils the Board also has responsibility for the Electoral Registration function.

The Board will comprise 16 members who are appointed by the three councils with the Argyll and Bute Council and West Dunbartonshire Council each nominating 5 members and East Dunbartonshire Council 6 members.

The quorum for Board meetings is 4 members with at least one from each council area.

For ease of reference during the assessment of the Records Management Plan, the authority will be referred to as 'The Board'.

### **4. Keeper's Assessment Process**

The RMP was assessed by the Public Records (Scotland) Act Assessment Team on behalf of the Keeper. Assessors used the checklist elements listed in section 5, to establish whether Dunbartonshire and Argyll & Bute Valuation Joint 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:**

<b>G</b>	The Keeper agrees this element of an authority's plan.		<b>A</b>	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.		<b>R</b>	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.
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**5. Model Plan Elements: Checklist**

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>The Board has identified David C Thomson, Assessor and Electoral Registration Officer, as the senior officer with records management responsibility. This is confirmed in a letter from Mr Thomson accompanying the Records Management Plan (RMP) (evidence item DAB 01).</p> <p>Mr Thomson's commitment to embedding good records management practice in the Board is outlined in a statement in Element 3.</p> <p>Section 6.2 of the Board's Records Management Policy (evidence item DAB 02) also confirms that the Assessor has overall responsibility for records management.</p>

			<p>The Keeper agrees that an appropriate individual has been nominated to take senior management responsibility for records management within the Board.</p>
<p>2. Records Manager <i>Compulsory element</i></p>	<b>G</b>	<b>G</b>	<p>The RMP has identified Robert Nicol, Depute Assessor and Electoral Registration Officer, as the officer with operational responsibility for records management within the Board. This is confirmed in the letter from Mr Thomson which accompanied the RMP (evidence item DAB 01).</p> <p>This responsibility is also highlighted in Sections 6.4 and 6.7 of the Records Management Policy (evidence item DAB 02).</p> <p>Also submitted are the Performance Management and Development Plans of Mr Nicol for the years 2014-2015 and 2015-2016 (evidence item DAB 03 and 04). These clearly show that records management forms a key part of Mr Nicol's work activities.</p> <p>The Job Description of the Depute Assessor and Electoral Registration Officer (evidence item DAB 05) has also been submitted. This also shows that Mr Nicol is responsible for developing policies and procedures for records management within the Board.</p> <p>The Keeper agrees that an appropriate individual has been identified to take operational responsibility for records management within the Board.</p>
<p>3. Policy <i>Compulsory element</i></p>	<b>G</b>	<b>G</b>	<p>The Board has submitted its Records Management Policy (evidence item DAB 02) as evidence of compliance with this element. This is version 1.0 and was approved on 18 September 2015. This is available to staff on the Board's Intranet.</p> <p>The Keeper has been provided with a link to the relevant section of the Board's website which shows that the Records Management Policy has been published there. The Keeper commends the outward facing approach to highlight the Board's</p>

			<p>commitment to working towards best practice records management.</p> <p>The Policy sets out its scope and the roles and responsibilities assigned to staff. The Policy also highlights a commitment to staff training in Data Protection, Freedom of Information and Records Management issues. The Keeper welcomes this commitment to providing staff with appropriate training and would be interested to know what form this training takes..</p> <p>The Policy also states (Section 1.4) that the Board is assisted in carrying out its functions by West Dunbartonshire Council. This relationship is governed by a Service Level Agreement (evidence item DAB 06) which outlines the nature of the support services provided to the Board by the Council. Records held by the Council on behalf of the Board are managed in accordance with the provisions of the Council's RMP which has been agreed by the Keeper.</p> <p>The RMP also contains a statement of commitment from Mr Thomson, the Senior Officer named in Element 1.</p> <p>The Keeper agrees that the Board has an operational Records Management Policy in place that outlines its commitment to following best practice records management and are committed to providing staff with training.</p>
4. Business Classification	<b>G</b>	<b>G</b>	<p>The Board has a three-tiered functional Business Classification Scheme (BCS), based on its business functions, activities and transactions. It is combined with the Boards retention schedules to form the Retention of Documents and Business Classification Scheme (evidence item DAB 07). The Keeper commends this approach in combining these documents into a single point of reference for staff.</p> <p>This sets out the types of records created by the Board and assigns these a retention period and a disposal action. The Board operates over several sites and has outlined its five main business areas (including its three main statutory functions</p>

			<p>– Council Tax, Non-Domestic Rating and Electoral Registration). A sample of the Data Structure (covering the Valuation and IT areas) has been submitted (evidence item DAB 08). This sets out the types of records created in the carrying out of the Valuation function and also sets the permissions for accessing and modifying files in the structure.</p> <p>The Data Structure Project Plan (evidence item DAB 09) describes the plans to roll-out the data structure mentioned above. This structure will be imposed on the Board’s shared drives. This Project has a completion date of April 2016. The Keeper requests that he is kept informed of progress as this project moves forward.</p> <p>The Board has also submitted an updated Data Structure Project Plan (evidence item DAB 09a) which shows the progress that has been made towards completion of the project. The Keeper commends the submission of this document as evidence of actively working to impose structure on the Board’s shared drives.</p> <p>Also submitted as evidence are samples from the BCS of West Dunbartonshire Council, who provide IT and Human Resources support to the Board (evidence items DAB 10 and 11). The Keeper has already agreed the RMP of West Dunbartonshire Council so can accept these samples as evidence of good practice in regards to the records created in assisting the Board carry out its functions.</p> <p>The Keeper agrees that the Board has a BCS which identifies the records created in the carrying out of its functions.</p>
5. Retention schedule	<b>G</b>	<b>G</b>	<p>The Board’s Retention Schedules are combined with its BCS to form the Retention of Documents and Business Classification Scheme (evidence item DAB 07). The Retention Schedules set out the timescales and relevant disposal actions which have been assigned to records. The Retention Schedules apply to all records irrespective of medium or format. The RMP states that the schedules will be reviewed annually.</p>



			<p>The Keeper notes that the Board has published a Retention of Documents document on its website. The Keeper commends the approach of publishing retention schedules online as a way of informing stakeholders of the retention decisions applied to records.</p> <p>Also submitted as evidence are samples from the retention schedules of West Dunbartonshire Council, who provide IT and Human Resources support to the Board (evidence items DAB 10 and 11). The Keeper has already agreed the RMP of West Dunbartonshire Council so can accept these samples as evidence of good practice in regards to the records created in assisting the Board carry out its functions.</p> <p>The Keeper agrees that retention and disposal actions have been assigned to the record classes that are created in carrying out the organisation's functions.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p><b>A</b></p>	<p><b>A</b></p>	<p>The Board has set out its procedures for securely destroying information and records.</p> <p><b><u>Paper</u></b>                  The RMP states that the Board's Campbeltown office uses a dedicated secure area of Argyll and Bute Council's premises to store its records. The Campbeltown office also uses the Council's contractual arrangements (with DS Smith) in order to securely dispose of records. Supplied as evidence of these arrangements are an invoice and a destruction (evidence items DAB 14 and 15).</p> <p>The Clydebank office stores confidential waste paper in a secure area prior to destruction by Shredall. A destruction certificate has been submitted as evidence to show that these procedures are operational (evidence item DAB 16).</p> <p><b><u>Electronic</u></b></p>

			<p><b>The updated Data Structure Project Plan (evidence item DAB 09a) shows the progress made in imposing the BCS structure upon the records held in shared drives. This will allow electronic records stored on the drives to be more easily identified and disposed of according to the requirements of the retention schedule. Evidence item DAB 37 provides guidance on disposal arrangements for records which will be amended as necessary as the abovementioned Project progresses.</b></p> <p><b><u>Hardware</u></b>          The arrangements for disposing of obsolete hardware are described in West Dunbartonshire Council's ICT Acceptable Use and Security Policy (evidence item DAB 13). The Council's ICT department are responsible for co-ordinating and managing the secure disposal of hardware containing records. As the Policy states it applies to the Board and the Keeper has agreed the RMP of West Dunbartonshire Council he is satisfied that the appropriate procedures are in place.</p> <p>Also submitted as evidence is an email from the IT department of West Dunbartonshire Council describing the procedures for destroying obsolete electronic media.</p> <p><b><u>Back-ups</u></b>          The Board has outlined its back-up schedules in its Retention of Documents and Business Classification Scheme (evidence item DAB 07). A daily back-up is taken each day from Monday to Thursday and retained for 2 weeks. A weekly back-up occurs on a Friday and this is retained for 4 weeks. A year end back-up is also taken either side of the year end and retained for 5 years.</p> <p><b>The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (deletion of electronic records from shared drives) and has provided evidence of its</b></p>
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			<b>commitment to putting procedures in place to close the gap. As part of this agreement, the Keeper requests that he is kept updated as the project moves forward.</b>
7. Archiving and Transfer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>The RMP states that under sections 96-100 of the Representation of the People (Scotland) Regulations 2001 the Board is obliged to send copies of the Electoral Register to bodies including the British Library, the National Library of Scotland and National Records of Scotland for permanent preservation. A copy of the distribution list has been submitted as evidence (evidence item DAB 17).</p> <p>Valuation Rolls and Council Tax lists are also sent to National Library of Scotland and the National Records of Scotland for permanent preservation. A copy of the distribution list has been submitted as evidence (evidence item DAB 18).</p> <p>The Board has entered into a Memorandum of Understanding with West Dunbartonshire Council Archives (submitted as evidence item DAB 31) in order to formalise the transfer of records selected for permanent preservation to an appropriate archive. The Board will initially transfer the minutes of its Board meetings, 1996-2009, to West Dunbartonshire Council Archive and over the longer term will archive records when appropriate. East Dunbartonshire and Argyll and Bute Council Archive services will be notified when transfers are made and catalogue information will be shared. The Board and Archive will also investigate arrangements for transferring records created electronically. The Keeper commends the consideration of this method of transfer as more and more business is transacted in this way.</p> <p>The Keeper agrees that the Board has arrangements in place to transfer records selected for permanent preservation to an appropriate archive when required.</p>
8. Information Security	<b>G</b>	<b>G</b>	The Board has submitted its Data Protection Policy (evidence item DAB 19) as evidence of commitment to protect the personal information it uses in order to carry

<p><i>Compulsory element</i></p>			<p>out its functions.</p> <p>The Board's IT Strategy (evidence item DAB 12) contains a section (Section 18) which details some of the security measures in place.</p> <p>The Board's IT systems are provided and managed by West Dunbartonshire Council. As a result all staff are required to follow the provisions laid out in the ICT Acceptable Use and Security Policy (evidence item DAB 13). It covers topics such as physical security, password security, mobile working and email access.</p> <p>Also provided as evidence is the Visitor Access Policy (evidence item DAB 20) which details the physical security arrangements in the Board's premises and also the procedures in place for dealing with visitors to these premises.</p> <p>The Board have also submitted their Core Training document (evidence item DAB 21). This describes the Board's commitment to ensuring staff are provided with appropriate training in a number of areas. Most training is provided through West Dunbartonshire Council's 'e-learn' online training facility. A screenshot of 'e-learn' has also been provided (evidence item DAB 22). The training modules include those on Information Security and Information Management. The Appendix to this document points out where the training differs from the Board's policies and procedures. The document also states that elements of this training should be built into the Personal Development Plans of staff and also outlines the frequency of when training is required to be undertaken. The Keeper commends this commitment to ensuring staff are appropriately trained.</p> <p>A screenshot of the Board's intranet (evidence item DAB 23) has been provided showing that the Board's policies are available to all staff, including those relating to Data Protection and Records Management.</p>
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			The Keeper agrees that the Board have procedures in place to ensure the protection of the information it maintains.
9. Data Protection	<b>G</b>	<b>G</b>	<p>The Board is registered as a Data Controller with the Information Commissioner's Office. Their registration number is Z697104X.</p> <p>The Board has a Data Protection Policy (evidence item DAB 19) which details its corporate approach and commitment to ensuring personal information is protected. This Policy is available to staff on the Board's intranet (evidence item DAB 22). Staff are also provided with regular training on Data Protection through West Dunbartonshire Council's 'e-learn' facility (evidence item DAB 21).</p> <p>The Keeper agrees that the Board is aware of its responsibilities under the Data Protection Act 1998 and has policies and procedures in place to ensure that personal information is protected.</p>
10. Business Continuity and Vital Records	<b>G</b>	<b>G</b>	<p>The Board has a Business Continuity Plan (evidence item DAB 24) in place to ensure it can resume its business activities in the event of an incident that interrupts its normal service.</p> <p>Section 16 of the IT Strategy (evidence item DAB 12) sets out the back-up procedures in place to ensure that the Board has access to the information and systems it needs to carry out its functions in the case of a disaster.</p> <p>The Board has also entered into an agreement with the commercial supplier of its Electoral Registration software (evidence item DAB 25) in the event that the supplier goes out of business.</p> <p>The Keeper agrees that there are procedures in place to ensure that the Board can continue to access key information in the event of a disaster.</p>
11. Audit trail	<b>A</b>	<b>A</b>	<b>The RMP states that, at present, the Board does not have comprehensive</b>

			<p><b>audit trail systems in place.</b></p> <p><b>Paper Council Tax and Non-Domestic records are stored in Council Tax List and Valuation Roll order and are kept within a secure area. Physical access is controlled under the provisions of the Visitor Access Policy (evidence item DAB 20) but there is no tracking mechanism in place for when records are removed from storage areas. There is however a commitment in the RMP to develop a file tracking system. The Board has submitted evidence showing its proposed process for providing audit trail functionality for its paper Non Domestic filing system (evidence item DAB 32). This will mean that a record will be kept of who has withdrawn a file and when and when it has been returned. The agenda for the Admin Meeting on 20 January 2016 has also been submitted (evidence item DAB 33) showing that this proposed system will be discussed there. The Keeper looks forward to being kept updated on the progress of this project.</b></p> <p><b>The Board is currently in the process of developing a new structure for its shared drives. This will be based on the Data Structure (evidence item DAB 09) and appropriate access permissions will be allocated to the folder structure. The timescales for this project are laid out in the Data Structure Project Plan (evidence item DAB 09) with completion envisaged for roll out by April 2016.</b></p> <p><b>The Board has submitted an email from the records manager (see Element 2) detailing the file naming conventions in place for Non Domestic Valuation records stored on the shared drives.</b></p> <p><b>The Keeper can agree this element on an ‘improvement model’ basis. This means that the authority has identified a gap in provision (lack of comprehensive audit trail processes) and has provided evidence of the means</b></p>
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			<b>by which it will close the gap. This agreement is dependent upon the Keeper being kept informed of the progress of work to close the gap.</b>
12. Competency Framework for records management staff	<b>G</b>	<b>G</b>	<p>The Performance Management and Development Plans and Job Description (evidence items DAB 03-05) show that records management and the development and implementation of a RMP are included as key objectives of Mr Nicol (see Element 2).</p> <p>Also provided as evidence is a note of seminars and workshops that Mr Nicol has attended (evidence item DAB 26) showing a commitment to developing knowledge about records management and the requirements of the Public Records (Scotland) Act 2011. This document also shows some of the presentations delivered to colleagues in the Board with a view to providing them with information about records management.</p> <p>The Records Management Policy (evidence item DAB 02) contains a clear commitment to ensuring staff receive appropriate training. They are required to undertake mandatory annual online training in Information Security and Information Management, which includes elements of Data Protection (see Element 9).</p> <p>The Keeper agrees that the Board recognises the importance of records management as a key area of work for staff and has shown a strong commitment to ensuring that staff have the relevant skills.</p>
13. Assessment and Review	<b>G</b>	<b>G</b>	<p>The RMP states that the Depute Assessor has responsibility for ensuring that the RMP and associated policies and procedures are regularly reviewed and kept up-to-date. The RMP states that this will be undertaken annually and done according to the Board's governance, monitoring and review process. The RMP states that elements of the RMP which are subject to improvement plans will be reviewed more regularly to ensure that improvements are being implemented.</p>

			<p>The Board has submitted evidence showing its procedures for assessing and reviewing its RMP and supporting evidence. The Records Management Policy (evidence item DAB 02) shows a clear commitment to ensure that the RMP and supporting policies and procedures are regularly updated.</p> <p>There is a standing records management item on the Management Team’s agenda (evidence item DAB 27). Also submitted is the Board’s Annual Service Calendar (evidence item DAB 35) which outlines the review schedules for key policies and procedures. This Calendar is updated every year in April.</p> <p>The work to improve the shared drive structure is a key project and as part of this the Board has committed to using Quality Indicator 1 (Create and Manage Trustworthy Records) of the Archive and Records Management Services tool to measure compliance with its records management provisions, although other Quality Indicators may be used, if appropriate. The Keeper commends the use of this assessment methodology.</p> <p>The Depute Assessor will report the results of the assessments and reviews to the Board’s Management Team. Evidence item DAB 27, minutes of a meeting of the Management Team, shows that discussion of the RMP has taken place and that it is an appropriate forum for reporting to.</p> <p>The RMP also states that it will consider using the Archives and Records Management Services (ARMS) methodology for measuring performance against requirements. It would need to be amended to fit the requirements of the Board. The Keeper recognises that the ARMS tool is an excellent way of assessing compliance and would request that if the Board do choose to go down this route that they send him a sample of their self-assessment tools.</p> <p>The Keeper agrees that appropriate measures are in place to ensure that the RMP</p>
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14. Shared Information	<b>G</b>	<b>G</b>	<p>and supporting evidence continues to be fit for purpose.</p> <p>The RMP states that in limited circumstances it shares information with and receives information from other organisations.</p> <p>The Board has submitted a Data Sharing Agreement between the Board's Electoral Registration Officer and East Dunbartonshire Council (evidence item DAB 28) regarding the sharing of Absent Voter information.</p> <p>The Board is also part of an arrangement to share the data relating to Young Voters. The conditions under which the data is collected and shared is set out in a Data Sharing Protocol (evidence item DAB 29).</p> <p>Also submitted is a MOU between the Board, other Assessors, HMRC and a private company regarding the exchange of information for the 'FR Scheme' (evidence item DAB 30). This is a very detailed document setting out the arrangements for the sharing of Council Tax data.</p> <p>The Keeper agrees that there are appropriate procedures in place to share information securely and to maintain governance of that information when required to do so.</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 Dunbartonshire and Argyll & Bute Valuation Joint Board. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by Dunbartonshire and Argyll & Bute Valuation Joint Board are as follows:

Element 7 – The destruction of electronic records held on shared drives

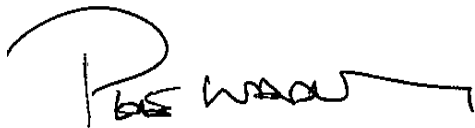
Element 11 – The development of audit trail systems

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper agrees the RMP of Dunbartonshire and Argyll & Bute Valuation Joint Board.

The Keeper recommends that Dunbartonshire and Argyll & Bute Valuation Joint 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**  
Public Records Officer



.....  
**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 Dunbartonshire and Argyll & Bute Valuation Joint Board. In agreeing this RMP, the Keeper expects Dunbartonshire and Argyll & Bute Valuation Joint 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