

Public Records (Scotland) Act 2011

Dundee City Council and Dundee City Licensing Board

The Keeper of the Records of Scotland

17th March 2020

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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 Dundee City Council and Dundee City Licensing Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 30th June 2017.

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

3. Authority Background

Dundee is Scotland's fourth largest city and is situated on the north coast of the mouth of the Tay Estuary, in a stunning location. Edinburgh lies 60 miles to the south and Aberdeen 67 miles to the north. The most recent estimate of Dundee's population is 148,210 (National Records of Scotland (NRS) 2015 Mid-year population estimate). Dundee has a sizeable student population, and is home to the University of Dundee, Abertay University and Dundee & Angus College.

The Dundee City Council area covers 60 square kilometres and is, geographically, the smallest local authority area in Scotland. It is bordered by Perth and Kinross Council to the west and Angus Council to the north and east. The former Tayside Regional Council area previously covered all three councils, and Dundee continues to serve as the regional centre for this area and North-East Fife, with an estimated catchment population of some 400,000 people.

<https://www.dundeecity.gov.uk/service-area/chief-executive/chief-executives-services/about-dundee>

Dundee City Licensing Board is constituted under Section 5 of, and Schedule 1 to, the 2005 Act. It consists of 10 members and the quorum is five. It is the successor to the Licensing Board with the same name which was previously constituted under Section 1 of the Licensing (Scotland) Act 1976 ("the 1976 Act").

<https://www.dundeecity.gov.uk/search/licenisng%20board>

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 Dundee City Council and Dundee City 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

Dundee City Council and Dundee City Licensing Board
(For simplicity these two separately scheduled authorities are referred to as ‘the Council’ in the assessment below)

Element	Present	Evidence	Notes
1. Senior Officer	G	G	<p>Dundee City Council have identified David R. Martin, Chief Executive, as the individual with overall responsibility for records management in the authority.</p> <p>This identification is confirmed by a covering letter from Mr Martin and by the <i>Records Management Policy</i> (see element 3) section 6b.</p> <p>Dundee City Licensing Board have identified Roger Mennie, Clerk to the Licensing Board, as the individual with overall responsibility for records management in the Board.</p> <p>This identification is confirmed by a covering letter from Mr Mennie in which he confirms that the Licensing Board has adopted the records management provision of the Council.</p> <p>The Keeper agrees that Dundee City Council and Dundee City Licensing Board (both hereafter referred to as ‘the Council’) have identified appropriate individuals to</p>

			these roles as required by the Public Records (Scotland) Act 2011 (the Act).
2. Records Manager	G	G	<p>The Council have identified Sarah Aitken, Records Manager/Assistant Archivist, as the individual with operational responsibility for implementing the <i>Records Management Plan</i> (the <i>Plan</i>) in the authority.</p> <p>Records Manager/Assistant Archivist positions require a post graduate qualification in Archives and Records Management. The Records Management responsibilities of the City Archivist and Records Manager are laid out in the Council's Records Management Policy (see element 3):</p> <p>The Records Manager has day-to-day responsibility for records management within the Council. The Records Manager will:</p> <ul style="list-style-type: none"> Develop policy and procedures that ensure that areas of the Council are able to be compliant with policy and legislation. Develop guidance and give advice to colleagues across the Council on records management issues. Provide advice on adequate storage facilities for current and semi-current records and monitoring such storage areas. Operate the Council's on-site Record Centre at the City Archives. To deputise for the Legal Manager on Records Management issues where appropriate. <p>The Council have shared the <i>Records Manager-Assistant Archivist Job Description and Person Specification</i> with the Keeper. This supports the identification of this individual with day-to-day responsibility for implementing the <i>Plan</i>.</p> <p>The Keeper agrees that the Council have identified a suitable individual to this role as required by the Act.</p>

3. Policy	G	G	<p>The Council have a <i>Records Management Policy</i> which has been provided to the Keeper. This is version 2.1 dated 27th April 2017. It is publically available on the Council's website at:</p> <p>https://www.dundeecity.gov.uk/sites/default/files/publications/Records%20Management%20Policy%20v2.1.pdf The Keeper commends the publication of an authority's records management policy.</p> <p>The Keeper agrees that the <i>Plan</i> supports the objectives of the <i>Policy</i>.</p> <p>The Policy is supported by a suite of other information governance documents and the Council has committed to pursuing the creation of further policy and guidance (see individual elements below).</p> <p>The <i>Policy</i> refers to compliance with the Data Protection Act 1998 (see element 9) and the Public Records (Scotland) Act 2011.</p> <p>Version 2 of the <i>Policy</i> was approved by the Council's legal manager (see element 2) in March 2017.</p> <p>Staff at the Council access the <i>Policy</i> on the intranet 'OneDundee' (and through 'Cedrms' – see element 4). A screen shot has been provided in evidence.</p> <p>The Keeper agrees that the Council have a records management policy statement as required by the Act. This takes the form of a public policy document.</p>
4. Business Classification	A	G	<p>The Council operate a hybrid system with electronic records on a central electronic document and records management system (Cedrms), electronic records held on shared drives, electronic records on local line-of-business systems and records held as hard-copy both in offices and in a central records store (operated by the Council).</p>

		<p>They have developed a <i>Business Classification Scheme</i> to account for those records held on the EDRM and this has been shared with the Keeper. System administrators control the upper level folders which are then populated locally.</p> <p>It is noted that the Council is in the early stages of implementing the use of Office 365. It is not yet been determined if the current EDRMS software will be replaced with SharePoint. Either way this should not affect the creation and implementation of a business classification scheme. The Council have committed to ensure that any migration project provides the opportunity to ensure that classification is built into the structure of any new system.</p> <p>The Keeper has been provided with a draft version of the new <i>Business Classification Scheme</i> and accepts this as evidence of an intention to pursue the development of a Council wide-system.</p> <p>It is proposed that the revised <i>Business Classification Scheme</i> will be based around function. This must remain a business decision for the Board, but the Keeper has acknowledged that a functional system, as proposed in the <i>Plan</i>, is currently considered best practice when developing a business classification.</p> <p>In a <i>Covering Letter</i> accompanying the <i>Plan</i>, David Martin, Chief Executive of Dundee City Council states: "The Council recognises that there is room for development in our provision under some of the elements in the records management plan. To this end the Archives and Records Management team has created a forward plan based on these areas of development." Mr Martin goes on to say: "The most significant area of this plan is to develop and implement a classification scheme and retention schedule for the Council's records." The Keeper has been provided with the <i>Records Management Forward Plan</i> and agrees the actions explained there are appropriate.</p>
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			<p>The Keeper acknowledges that this <i>Forward Plan</i> includes commitments to “Review, edit and expand the existing business classification scheme that exists for CeDRMS to include all records not just electronic records” to “Plan to promote use of CeDRMS” and to “Plan to arrange the primary transfer of more records to CeDRMS – with realistic timetables.” The Keeper agrees that these actions are appropriate.</p> <p>The Keeper acknowledges receipt of the Dundee City Council Records Management Guidance 09: Email Management. This is version 1 (Feb 2018).</p> <p>The Council make the following statement regarding vital records: "There is currently no Council wide list of vital records. Some local areas may have identified their vital records as part of the Business Continuity Planning purpose, but these have not been brought together. It is planned that these records will be highlighted on the Council's business classification scheme when complete." (<i>Plan</i> page 16). This is supported by the 'Future Development' section of the <i>Plan</i>. The Keeper agrees and commends this action.</p> <p>The Keeper can agree this Element on an ‘improvement model’ basis. This means that the authority has identified gaps in provision (business classification is being developed and has not been fully implemented) but have identified how it intends to close this gap. The Keeper has been provided with a commitment to pursue this in the text of a <i>Covering Letter</i> from the Council’s Chief Executive. This agreement is dependent upon the Keeper being kept informed of progress with this work. The Council has committed to doing this through annual updates.</p>
5. Retention schedule	A	G	The RMP states that the Council has adopted the Scottish Council on Archives Records Retention Schedule (SCARRS) for managing the retention and disposal of both paper and electronic records. Staff access SCARRS through links on the

		<p>intranet 'OneDundee'. A screen shot has been provided in evidence. SCARRS was formally adopted after approval by the Council in April 2017 https://www.dundeecity.gov.uk/minutes/fulltext?meeting_ref=6030</p> <p>The Keeper agrees that SCARRS is entirely appropriate for use by a Scottish local authority. However, he also acknowledges that Dundee City Council intend to produce their own customised schedule based on the SCARRS decisions. He agrees this would also be appropriate.</p> <p>The <i>Plan</i> states (page 9): "It has been identified that there are gaps in the generic schedule which mean that some records are not covered." The Keeper agrees that the development of a version specifically for the Council's use should help alleviate this issue.</p> <p>The <i>Plan</i> notes (page 9) that retention decisions can automatically be imposed on file types in the Council's CeDRM system. This is helpful, but many public records are not on this system (see element 4). The <i>Plan</i> notes: "The retention schedule is not automatically applied to non-structured records, particularly those held on local shared drives."</p> <p>In a <i>Covering Letter</i> accompanying the <i>Plan</i>, David Martin, Chief Executive of Dundee City Council states: "The Council recognises that there is room for development in our provision under some of the elements in the records management plan. To this end the Archives and Records Management team has created a forward plan based on these areas of development." The Keeper has been provided with this <i>Records Management Forward Plan</i>.</p> <p>The Keeper acknowledges that this Forward Plan includes commitments to "Expand Classification scheme and the generic retention schedules to include customised retention guidelines." He agrees this action is appropriate.</p>
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			<p>The Keeper acknowledges that the development of a functioning business classification/retention/tracking system, that covers all public records in an organisation of the size and complexity of a local authority, will be incremental. However, he will expect to see progress over the next 5 years.</p> <p>The <i>Plan</i> (page 8) indicates that in future the Council will operate a <i>Information Asset Register</i> although this does not feature in the <i>Forward Plan</i>. The Keeper assumes this will combine business classification and retention with other information. Identification of vital records is specifically mentioned. An <i>Information Asset Register</i> is not explicitly mentioned in the <i>Forward Plan</i> as this will be created as part of the project to expand the <i>Business Classification Scheme and Retention Schedules</i>.</p> <p>The Keeper acknowledges receipt of the Dundee City Council Records Management Guidance 11: Retention. This is version 1 (Feb 2018).</p> <p>The Keeper can agree this Element on an ‘improvement model’ basis. This means that the authority has identified gaps in provision (some record types are not covered by the generic schedule and the schedule is not automatically applied to shared drives). However, the Keeper acknowledges a commitment to close this gap. This agreement is dependent upon the Keeper being kept informed of progress with this work. The Council has committed to doing this through annual updates.</p>
6. Destruction Arrangements	A	G	<p>The Council’s <i>Records Management Policy</i> (see element 3) states: “Records should only be retained as long as they are needed, in line with the Council’s agreed Record Retention and Disposal Schedule.” (<i>Policy</i> section 8). The <i>Data Protection Policy</i> (see element 9) concurs (section 10): “All systems should be reviewed on a regular basis to identify records which are no longer required and these will be</p>

		<p>destroyed in line with the Council's Retention schedule." As both policies are published on the Council website the Keeper agrees that the Council has made a public commitment to manage the destruction of public records.</p> <p>To this end the Council has the following procedures in place for the secure, irretrievable destruction of public records:</p> <p><u>Paper (internal)</u>: The <i>Plan</i> states (page 10) that the Council destroys paper records securely by using on-site shredders. It also states that the Council engages an external contractor to securely dispose of paper waste. A sample <i>Confidential Waste Collection Note</i> has been provided as evidence of these arrangements.</p> <p>These arrangements are supported by the publically available <i>Records Management Policy</i> (see element 3) section 8.</p> <p>A contract is now in place with a third party for the provision of confidential waste destruction. This contract runs until 2020, with the option to extend until 2022. Should this change, the Council has committed to notifying the Keeper.</p> <p><u>Paper (external)</u>: The Council confirms that no public records are stored by third party storage contractors.</p> <p>Electronic: The <i>Plan</i> explains that the Corporate electronic Records and Document Management System has an automated 'trigger' linked to retention decisions. However, it goes on to point out that "a large amount of records are not managed through the CeDRMS system and the retention function on the system is not always used."</p> <p>With regard to the issue of destroying records held on shared drives, the Council anticipates that the creation of detailed retention schedules will</p>
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		<p>inform destruction decisions and encourage users to review and destroy records – both physical and electronically held on shared drives. The process of gathering information about the records held by the Council to inform the creation of the BCS and RS will also highlight the records which are not being destroyed regularly. The Records Management Group* also intends to promote regular reviews of records with the intention of encouraging appropriate destruction to be built into the normal working routine.</p> <p>The April 2017 ‘clear-out’ campaign encouraged staff to “delete all non-essential electronic files, emails and pictures” The Council acknowledges that the April 2017 Spring Clean poster did not contain any explicit reference to Retention Schedules. Contact information for the Archivist, Records Manager and RM Group reps were provided so that colleagues could make contact if they had any queries about disposing of records. In future the Council will ensure that information and links to retention schedules are explicitly referred to in clean up documentation.</p> <p>In a <i>Covering Letter</i> accompanying the <i>Plan</i>, David Martin, Chief Executive of Dundee City Council states: "The Council recognises that there is room for development in our provision under some of the elements in the records management plan. To this end the Archives and Records Management team has created a forward plan based on these areas of development." The Keeper has been provided with this <i>Records Management Forward Plan</i>.</p> <p>The Keeper acknowledges that this Forward Plan includes a commitment to "Standardised corporate destruction policy/procedures/documentation". He also notes that the Council intends to produce a new "Destruction" guidance document (<i>Plan</i> page 7). Destruction guidance will provide information and guidelines about how to destroy both hardcopy and digital records.</p>
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			<p>The Keeper acknowledges that the Council have explained their e-mail deletion policy. This is currently under development. He agrees that the Council has committed to improvements regarding the retention of e-mail.</p> <p><u>Hardware</u>: Destruction of records held on redundant hardware is carried out by a third party provider. This procedure is supported by statements in the <i>IT Equipment Disposal Policy</i> (supplied). The Council have provided the Keeper with an example <i>IT Equipment Destruction Certificate</i> as evidence that this process is operational.</p> <p>These arrangements are supported by the publically available <i>Records Management Policy</i> (see element 3) section 8.</p> <p><u>Back-Ups</u>: The Council, quite properly, back-up their information for business continuity purposes. The back-up cycle is explained in the <i>Plan</i> (pages 10 and 16). Back-up arrangements are confirmed in the <i>Information Security Policy</i> (see element 8). The Keeper is satisfied that the Council can be assured how long back-up copies of public record remain available.</p> <p>The Keeper agrees this element of Dundee City Council's <i>Plan</i> on improvement model terms. This means that the authority has recognised a gap in its records management provision (the controlled systematic destruction of <u>all</u> digital records in line with the Retention Schedules) and has put a project in place to close that gap. Keeper's agreement on this aspect of 'destruction' is conditional on his being updated on progress. The Council has committed to doing this through annual updates. The Keeper is able to agree that the Council has procedures in place suitable for the proper destruction of paper records, back-ups and hardware.</p>
7. Archiving and Transfer	A	G	Dundee City Council and Licensing Board have identified Dundee City Archives https://www.dundeecity.gov.uk/projects/archives

		<p>as the repository for the permanent retention of their records of historical interest.</p> <p>This is in step with a commitment in the <i>Policy</i> (see element 3) that the Council's records management provision should "ensure that all records of historical, cultural or educational significance are identified and preserved under the management of the City Archivist." (<i>Policy</i> section 2) and that The Council "has a statutory obligation to ensure that proper arrangements are made for the <u>preservation</u> and management of all records, in all formats, created by the Council and those records inherited from its predecessor authorities." (<i>Policy</i> section 1).</p> <p>The Council's archive is part of the same service as the records centre. The Keeper notes that the author of the <i>Plan</i> is an assistant archivist with the Council.</p> <p>The Council's arrangement with the archive service is principally for paper copies. As is usual in Scottish public authorities that arrangements for the permanent retention of 'born digital' public records are in their infancy. The Keeper acknowledges that as part of the <i>Forward Plan</i> the Council commits to "Investigate and introduce a digital archive". The Keeper accepts this, and will be interested in learning of developments in this area.</p> <p>The Council have supplied the Keeper with a suite of 'archiving' policies and procedures including their <i>Procedure for Depositing Council Records in the Archives</i> guidance document. The Keeper agrees these are appropriate.</p> <p>The Keeper has been provided with a screen-shot from the Council's intranet 'OneDundee' showing staff can access information governance guidance including the <i>Depositing Council Records</i> guidance mentioned above.</p> <p>However, the Keeper has expressed concerns regarding Dundee City Council's archive store. Representatives of the Keeper have met with and</p>
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		<p>been corresponding with Council officials to try and find an appropriate solution. Both the Keeper and the Council recognise that work has to be done in this area and that this will take some time. However, the Keeper requires to be updated on the following issues outlined in the communication to the Chief Executive of the Council in a letter from the Keeper dated 13 December 2019</p> <ul style="list-style-type: none"> • Development and implementation of effective compartmentation plans for the archive stores in the Caird Hall Estate • Installation of fire and smoke dampers in all ducting in the Caird Hall Estate • Direct link from fire and smoke alarms to the Fire and Rescue Service • Ensuring all holes and voids which could facilitate the spread of smoke and fire are eliminated across the estate • Extension of fire and smoke detection systems in Caird Hall to include archives • Procedures for actively monitoring the archives and the spaces below it, to ensure that mitigations are sustained over time and regularly reviewed, through the formation of a Building User Group. • Clarification of the monitoring arrangements and fire safety compliance of your commercial tenants situated in the building • Remedial work to address variable performance of the fire retardant properties of flooring tiles within the archive. • The Keeper requires that temporary temperature and relative humidity loggers should be placed in the archives stores at Dundee City Archives. <p>In January 2020 the Council made the following statement: "Work has already begun to address some of these issues. The Council have communicated to the Keeper their desire to arrange a further meeting with his representatives in order to agree on an action plan and timescale for resolving those issues still</p>
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			<p>outstanding.”</p> <p>The Keeper will contact the council in June 2020 in order that he may be appraised of improvements.</p> <p>The Keeper can agree this element of Dundee City Council’s <i>Records Management Plan</i> on ‘improvement model’ terms. This means that the authority has recognised a gap in their records management provision and have put processes in place to close that gap. The Keeper’s agreement is conditional on his being updated as this work proceeds.</p>
8. Information Security	G	G	<p>The Council have an <i>Information and Communication Technology Security and Safe Use Policy</i> (for simplicity referred to as the <i>Information Security Policy</i> below) which has been provided to the Keeper.</p> <p>All staff must read and acknowledge this <i>Policy</i>.</p> <p>The <i>Information Security Policy</i> explains the procedure for reporting actual or potential security breaches.</p> <p>The <i>Information Security Policy</i> and the Plan page 13 explain the physical security applied to hard-copy records and to the servers storing electronic records (see for example <i>Information Security Policy</i> section 1). It also covers the risk inherent in mobile and home working (section 3 and 4).</p> <p>The <i>Information Security Policy</i> is supported by a suite of other policy and guidance documents such as the <i>Data Protection Policy</i> (see element 9) and FAQs (supplied). The Keeper notes that the Council has also developed a <i>Data Breach Policy</i> (which has been supplied. This is version 1 dated October 2019.</p>

			<p>Staff at the Council access the <i>Policy</i>, guidance and security training on the intranet 'OneDundee'. A screen shot has been provided in evidence.</p> <p>The Keeper agrees that Dundee City Council has appropriate measures in place to protect its information and systems.</p>
9. Data Protection	G	G	<p>The Council have a Data Protection Policy which has been shared with the Keeper and is available here:</p> <p>https://www.dundeecity.gov.uk/sites/default/files/publications/dataprotectionpolicy2019.docx</p> <p>A new version of the <i>Data Sharing Code of Practice</i> is currently being drafted. The Council should provide the Keeper with a copy when approved. The Council has committed to doing this.</p> <p>The Information Governance Manager is the Council's Data Protection Officer.</p> <p>As a result of the introduction of GDPR, the Council has produced a new staff training module (https://www.dundeecity.gov.uk/elearning/gdpr/story_flash.html). This is mandatory for all staff and must be undertaken every 18 months to 2 years.</p> <p>As a result of the introduction of GDPR, the Council has produced a new staff training module (https://www.dundeecity.gov.uk/elearning/gdpr/story_flash.html). This is mandatory for all staff and must be undertaken every 18 months to 2 years.</p> <p>The council has also produced a GDPR Handbook, which is available for all staff (See Supp. Evidence D).</p> <p>The Keeper agrees that Dundee City Council and Dundee City Licensing Board have properly considered their responsibilities under the 2018 data protection</p>

			legislation.
10. Business Continuity and Vital Records	G	G	<p>The Council have a <i>High Level Business Continuity Plan</i> supported by local service area plans. The <i>High Level Plan</i> and a sample of a local plan have been provided to the Keeper.</p> <p>The Keeper has been provided with the Council's <i>Information Technology Disaster Recovery Plan</i>, version 1.0 October 2016.</p> <p>He agrees that the Council considers the recovery of records in these documents.</p> <p>The Council make the following statement regarding vital records: "There is currently no Council wide list of vital records. Some local areas may have identified their vital records as part of the Business Continuity Planning purpose, but these have not been brought together. It is planned that these records will be highlighted on the Council's business classification scheme when complete." (<i>Plan</i> page 16). The Keeper agrees this action and commends.</p> <p>The <i>Plan</i> (page 8) indicates that in future the Council will operate a <i>Information Asset Register</i> although this does not feature in the <i>Forward Plan</i> submitted with the <i>Plan</i>. Identification of vital records in the <i>Information Asset Register</i> is specifically mentioned and this is commended.</p> <p>For system recovery the Council is a 'priority user' of the Harwell Support system. The Keeper is familiar with this system and agrees it is appropriate for use by a large organisation such as a Scottish local authority.</p> <p>Back-up arrangements are confirmed in the <i>Information Security Policy</i> (see element 8).</p>

			<p>The Council have committed to review their business continuity arrangements every 5 years (<i>Plan</i> page 16).</p> <p>The Keeper notes that the Council is developing a disaster plan for the central records store (<i>Plan</i> page 16). He requests that this is provided when available in order that he may keep the Council's submission up-to-date.</p> <p>The Keeper agrees that there are procedures in place to allow the Council to resume its business in the event of a disaster and that consideration has been given to vital records.</p>
11. Audit trail	A	G	<p>See element 4</p> <p>The Council's <i>Records Management Policy</i> (see element 3) states that they have a responsibility: "to ensure that information is available to the people who need to use it, in an appropriate format." (<i>Policy</i> section 2).</p> <p>To this end, the Council have the following arrangements in place to track and identify records:</p> <p><u>Paper (internal)</u>: The <i>Plan</i> explains the processes involved in the tracking of hard-copy records (page 17) using sign-out sheets and a register. The Keeper agrees this is appropriate.</p> <p><u>Paper (external)</u>: The Council confirms that no public records are stored by third party storage contractors.</p> <p><u>Electronic</u>: The Keeper agrees that many of the line-of-business systems used by the Council (called local information systems in the <i>Plan</i>), such as MOSAIC will impose suitable naming convention/version control at time of record-creation to</p>

		<p>adequately track records subsequently.</p> <p>Similarly he accepts that the CeDRMS system includes record tracking as part of its functionality. This may be expanded to manage paper records. The <i>Plan</i> states (page 18): "The records management team will review usage of physical records management function on CEDRMS which includes audit trail and file request functions and assess its suitability for managing physical records held in the central records centre." As noted in element 4, the future of the current CeDRMS software is uncertain. As such the Council has noted that this action will not be progressed at present. The Records Manager will investigate whether the Office 365 package being implemented offers something similar.</p> <p>However, the Council holds many public records digitally on shared drives outwith the CeDRMS and line-of-business systems. These must be correctly named and saved manually by staff and to ensure this is done correctly, guidance must be issued. The Council have committed to producing version control and naming convention guidance (see below).</p> <p>In a <i>Covering Letter</i> accompanying the <i>Plan</i>, David Martin, Chief Executive of Dundee City Council states: "The Council recognises that there is room for development in our provision under some of the elements in the records management plan. To this end the Archives and Records Management team has created a forward plan based on these areas of development." The Keeper has been provided with this <i>Records Management Forward Plan</i>.</p> <p>The Keeper acknowledges that this <i>Forward Plan</i> includes a commitment to "Create a series of guidance for all staff on a range of records management issues. (Where appropriate these may become policy, or feed into the RM policy) This will include: Naming conventions Version control". He agrees this action. The Keeper requires that these are provided when available.</p>
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			<p>The Keeper can agree this element on an ‘improvement model’ basis. This means that the Council has identified gaps in provision (lack of audit trail provision in shared drives and of operational naming convention/version control guidance) and has identified solutions to close these gaps. This agreement is conditional upon the Keeper being kept informed of progress.</p>
12. Competency Framework for records management staff	G	G	<p>The Council have provided the <i>Records Manager-Assistant Archivist Job Description and Person Specification</i>.</p> <p>The Council’s <i>Records Management Policy</i> (see element 3) states that they have a responsibility: “to identify and provide appropriate training in relation to records management and preservation.” (<i>Policy</i> section 2). The Corporate Records Management Group (see under General Comments below) has been set up to arrange and evaluate appropriate records management training.</p> <p>A Records Management online training module is available to all staff. The module has been created with information specific to procedures and practices at Dundee City Council. The Keeper has been provided with a copy of this module and a screenshot to show that staff can access it. After Office 365 has been implemented (see above) a new version of the training module will be developed.</p> <p>All staff receive training relating to, Information Security, Data Protection and Freedom of Information during their induction. Data protection training is a commitment of the Council’s, published, <i>Data Protection Policy</i> (section 5) (see element 9) and is carried out as an online module at induction. A screen shot has been provided in evidence (data protection, information security, FOI).</p> <p>The Council will be reviewing their data protection training over the next year or so.</p>

			<p>In 2016 key members of staff who look after hard copy records attended a disaster training provided by Harwell (see element 10).</p> <p>Staff guidance documents are made available through the CeDRMS system. Screen-shots have been provided.</p> <p>The Keeper agrees that Dundee City Council provide relevant information governance training for staff.</p>
13. Assessment and Review	G	G	<p>The Act requires a scheduled public authority to "keep its records management plan under review" (part 1 5.1 (a)).</p> <p>The Council have committed to review the <i>Plan</i> annually. This will be done by the Records Management Group (see under General Comments below). They report to the Legal and Democratic Services Manager, Director of Corporate Services and the Council's Senior Management Team (copy will also be sent to the Clerk of the Licensing Board – see element 1).</p> <p>The methodology of review is explained in the <i>Plan</i> (page 20), and will include input from local service areas using a self-assessment questionnaire (sample supplied). The Keeper agrees this arrangement in principle.</p> <p>Furthermore, the Council have requested that their Internal Audit team include an assessment of records management practices going forward (e-mail evidence supplied). The Keeper strongly commends the use of internal audit, when available, in assessing the effectiveness of a Scottish public authority's <i>Records Management Plan</i> going forward.</p> <p>Supporting evidential policies have review dates included (for example <i>Records Management Policy</i> section 10 or <i>Data Protection Policy</i> section 12).</p>

			The Keeper agrees that Dundee City Council has identified how it intends to ensure that its RMP and key supporting policies and procedures are regularly updated.
14. Shared Information	G	G	<p>The Council is a partner in information sharing protocols with other public authorities.</p> <p>The Keeper agrees that Council staff have a Data Sharing Code of Practice, which has been submitted in evidence. This is version 1 from January 2014 a new version is currently being drafted.</p> <p>They have also supplied the Keeper with a template data sharing agreement and a sample information sharing contract with a third-party (Health and Social care). The Keeper agrees that both documents include information governance clauses. The <i>Contract</i> includes a section on “Public Records and Records Management Plan” (see Third Parties under General Comments below).</p> <p>The Keeper agrees that Dundee City Council properly considers information governance when entering into arrangements to share information with third parties.</p>

Dundee City Council and Dundee City Licensing Board

(For simplicity these two separately scheduled authorities are referred to as ‘the Council’ in the assessment below)

General Notes on RMP, Including Concerns:

Version: This assessment is on the *Records Management Plan* (the *Plan*) of Dundee City Council and Dundee City Licensing Board (the Council) submitted to the Keeper of the Records of Scotland in June 2017. This is version 1.0.

The *Plan* is accompanied by a letter from David R. Martin, Chief Executive (**see element 1**), dated 8th May 2017 in which he confirms that “the Council is committed to implementing good records management practice throughout the organisation.”

The *Plan* is accompanied by a letter from Roger Mennie, Clerk to Dundee City Licensing Board (**see element 1**), dated 26th April 2017 in which he confirms that “the Licensing Board has chosen to submit a joint plan with Dundee City Council.” The inclusion of the Licensing Board is confirmed in the introduction to the *Plan* and in section 3 of the *Records Management Policy* (**see element 3**).

The *Plan* is accompanied by a letter from Stewart Murdoch, Managing Director, Leisure & Culture Dundee (**see Third Parties below**), dated 24th April 2017 in which he confirms that “Leisure & Culture Dundee will ensure that we are compliant with the Council’s Records Management Policy.”

The *Plan* is accompanied by a letter from Kenny McKaig, Legal Manager (**see element 2**), dated 28th April 2017 in which he confirms that he will undertake the operational responsibility for records management in Dundee City Council.

The introduction to the *Plan* explains the purpose of efficient records management.

The Council acknowledges records as a business asset (for example *Records Management Policy* – **see element 3 - Policy Statement**). The Keeper commends this recognition.

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

The Keeper notes that the Council's *Records Management Policy* specifically refers to compliance with the Act.

Third Parties: The Act makes it clear that records created by a contractor in carrying out a scheduled authority's functions are public records (Part 1 section 3.1 (b)).

The *Plan* states that it covers records created and held by any third party performing a function on behalf of Dundee City Council (*Plan* Introduction).

The *Records Management Policy* (**see element 3**) also confirms that it applies to "any third party performing a function on behalf of Dundee City Council." (*Policy* section 3).

The *Covering Letter* from David R. Martin, Chief Executive (**see element 1**), states "The Council has contracted out the delivery of some of its key functions to trusts or third parties, including Leisure and Culture Dundee. I am satisfied that these third parties manage their records to an acceptable standard."

The Council have provided a letter from Stewart Murdoch, Managing Director, Leisure & Culture Dundee, a third-party organisation carrying out functions of the Council, in which he confirms that Leisure & Culture Dundee will comply with the Plan and notes that a member of Leisure & Culture Dundee's management board attends the Dundee City Council Records Management Group.

Outwith Leisure & Culture Dundee, the Council commits to ensuring that third parties providing function under contract will engage in suitable records management arrangements by including a standard records management clause in all new and revised contracts. They have provided an example from Social Care. The Plan states (page 21): "A new draft clause has been created for the Council's template Social Care contract. All new contracts which involve the Council contracting out its core functions will include this

clause. This clause, or a similar one, will be included in any new or reviewed agreements with Leisure and Culture Dundee for the provision of key Council functions.”

6. Keeper's Summary

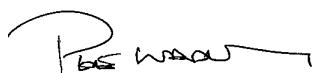
Elements 1 – 14 that the Keeper considers should be in a public authority records management plan have been properly considered by Dundee City Council and Dundee City Licensing Board. Policies and governance structures are in place to implement the actions required by the plan.

7. Keeper's Determination

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

- The Keeper recommends that Dundee City Council and Dundee City 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
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 Dundee City Council and Dundee City Licensing Board. In agreeing this RMP, the Keeper expects Dundee City Council and Dundee City Licensing Board to fully implement the agreed RMP and meet its obligations under the Act.

A handwritten signature in black ink, appearing to read "PL".

.....
Paul Lowe
Keeper of the Records of Scotland