

Public Records (Scotland) Act 2011

**East Dunbartonshire Council
East Dunbartonshire Licensing Board**

Assessment Report

The Keeper of the Records of Scotland

23rd 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 **East Dunbartonshire Council and East Dunbartonshire Licensing Board** by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on **30th September 2015**.

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

3. Authority Background

East Dunbartonshire borders onto the north-west of the City of Glasgow. It contains many of the suburbs of Glasgow as well as many of the city's commuter towns and villages. East Dunbartonshire also shares a border with North Lanarkshire, Stirling and West Dunbartonshire. The council area covers part of the historic counties of Dunbartonshire, Lanarkshire and Stirlingshire.

The council area was formed in 1996, as a result of the Local Government etc. (Scotland) Act 1994, from part of the former Bearsden and Milngavie and Strathkelvin districts of the wider Strathclyde region.

<http://www.eastdunbarton.gov.uk/>

East Dunbartonshire Licensing Board is constituted under the Licensing (Scotland) Act 2005 and is a Scottish public authority as defined in Part 3 of Schedule 1 to FOISA. The Council elect Councillors to make up the Licensing Board which is a completely separate legal entity from the Council.

The Board is responsible for the following functions within the East Dunbartonshire Council area:

- licensing premises for the sale of alcohol
- licensing gambling premises
- issuing permits for certain gambling activities

<http://www.eastdunbarton.gov.uk/business/licensing-permits/licensing-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 East Dunbartonshire Council and East Dunbartonshire 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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East Dunbartonshire Council and East Dunbartonshire Licensing Board
 For simplicity these two authorities are described as ‘the Council’ in the assessment below.

5. Model Plan Elements: Checklist

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>East Dunbartonshire Council have identified Ian Black, Director of Finance and Shared Services, as the individual with overall responsibility for records management in the Council.</p> <p>This is confirmed by a <i>Covering Letter</i> from Gerry Cornes, Chief Executive, dated 31st August 2015 and by the <i>Records Management Policy (see element 3)</i> section 8.4.</p> <p>Mr Black is the authority’s SIRO, has signed the <i>Plan</i> (page 20) and has an overall responsibility for data protection (<i>Data Protection Policy</i> 3.1.3).</p> <p>The Clerk to East Dunbartonshire Licensing Board has provided the Keeper with a letter confirming that they approve of Mr Black acting as the senior responsible officer for their authority as well. This arrangement is supported by a <i>Memorandum of Understanding</i> between the Council and the Licensing Board which has been provided.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have identified an appropriate individual 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>East Dunbartonshire Council have identified Karen Watt, Information and Records Manager, as the individual with day-to-day responsibility for implementing the <i>Plan</i>.</p> <p>This is confirmed by a <i>Covering Letter</i> from Gerry Cornes, Chief Executive, dated 31st August 2015 and by the <i>Records Management Policy (see element 3)</i> section 8.9 which states “The Information and Records Manager has responsibility for the overall day to day implementation of the Records Management Plan (RMP)”</p> <p>Ms. Watt created the Plan; the Records Management Policy (see element 3); the <i>Memorandum of Understanding</i> between the Council and the Licensing Board regarding records management provision; the <i>IMSIP Work Plan (see under General Comments below)</i> and the <i>Records Management Improvement Action Plan</i>, where she takes lead on several items including raising the profile of the records management programme (objective 5).</p> <p>Ms Watt is the Programme Manager for the Information and Records Strategic Implementation Programme (See Under General Comments below).</p> <p>The Clerk to East Dunbartonshire Licensing Board has provided the Keeper with a letter confirming that they approve of Ms Watt acting as the responsible officer for their authority as well.</p> <p>Ms. Watt is supported by 3 Records Management Assistants.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have identified an appropriate individual to this role as required by the Act.</p>
<p>3. Policy <i>Compulsory</i></p>	<p>G</p>	<p>G</p>	<p>East Dunbartonshire Council have supplied the Keeper with their <i>Information and Records Management, Preservation of Archives Policy</i> (for simplicity this will be</p>

<p><i>element</i></p>			<p>referred to as ‘the <i>Policy</i>’). This is version 3-Final prepared by Karen Watt (see element 2) in June 2015</p> <p>The <i>Plan</i> supports the objectives of the <i>Policy</i>.</p> <p>The <i>Policy</i> refers to records as a business ‘asset’ (section 2.3). The Keeper welcomes this recognition.</p> <p>The Council has employee web pages, Connections, which are used for sharing information, policies and news. The Information Management page is open to all employees across the Council. A screen shot of the Policy on Connections has been included as evidence.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have an approved and operational records management policy statement as required by the Act.</p>
<p>4. Business Classification</p>	<p>G</p>	<p>G</p>	<p>East Dunbartonshire Council have a <i>Business Classification Scheme</i> which identifies record types created as the Council carries out its business. A sample for one service area (Adult Care) has been provided and the style appears appropriate. The <i>Information and Records Strategic Implementation Programme - Work Plan</i>, which has been provided to the Keeper, shows a business classification scheme based on the Local Government Classification Scheme is 100% operational (section 3.2).</p> <p>All Business Classification and Retention Schedules have been provided to the Keeper.</p> <p>The <i>Business Classification Scheme</i> incorporates retention decisions against each record type. The Keeper commends combining the <i>Business Classification Scheme</i></p>

			<p>and <i>Retention Schedule</i> as likely to lead to a stronger, more streamlined, business tool.</p> <p>Retention decisions are based on the Scottish Council on Archives SCARRS tool. The Keeper has previously endorsed this product and agrees that it an entirely appropriate scheme for a Scottish local authority.</p> <p>The Business Classification/Retention Schedule document is available to Council staff on the Intranet (the 'Hub'). A Screen Shot of the links to Business Classification and Retention Schedules has been included as evidence.</p> <p>The Council operates a hybrid system of paper and electronic records.</p> <p>As part of the improvement programme the Information Management Team holds regular 'drop-in' sessions. Karen Watt (see element 2) is Programme Manager.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have a business classification scheme covering all their functions.</p>
5. Retention schedule	G	G	<p>East Dunbartonshire Council have a combined <i>Retention Schedule</i> and <i>Business Classification Scheme</i>.</p>

<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>Paper: The Council employ an external shredding company for the confidential destruction of their paper records. A destruction certificate has been provided to show that these arrangements are in operation.</p> <p>Electronic: The <i>Information Management Strategy File Housekeeping – Employee Guidance Note (1)</i> explains the importance of deleting files and refers staff to the retention schedule published by the Scottish Council on Archives (see element 4/5). It also lists file types that fall outside this schedule and can be routinely deleted, such as ‘Files that have been downloaded from the Council intranet and internet’.</p> <p>The Finance and Shared Services Destruction form has been provided to evidence the controlled nature of the destruction of all electronic records. This is done with reference to SCARRS retention schedules. All records identified for destruction are added to the form and signed off by a senior Manager who has ownership of the records.</p> <p>E-Mail: The Council have provided the Keeper with their <i>ICT Guidelines for E-mail</i> and their <i>Information Management Strategy File Housekeeping – Employee Guidance Note (1)</i> both of which remind staff that e-mails should be filed or destroyed when work on them is complete. In the <i>Acceptable Use Policy for East Dunbartonshire Council’s ICT Facilities</i> document (see element 8) the section on e-mail (section 6) explains that un-deleted e-mails are currently ‘backed-up and held indefinitely’. However, the Council makes the following statement “East Dunbartonshire’s ICT are in the process of implementing a new data and storage backup solution that provides the capability to apply more robust archiving and retention policies as part of the regular backup cycles. ICT are nearing the end of the implementation of the technical solution, with full installation expected by August 2016. The relevant information and records management policies will be updated and implemented to ensure our data retention and disposal processes are fully</p>
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			<p>compliant with the Data Protection Act. This has been added in to the Records Management Improvement Plan and updates will be provided to the Keeper.” The Keeper welcomes this commitment.</p> <p>Hardware: The Council employ an external hardware destruction company who provide secure destruction of all hardware and software. A destruction certificate has been provided to show these arrangements are in operation.</p> <p>Back-Ups: East Dunbartonshire Council quite properly keep back-ups of its electronic records for business continuity purposes. The Appraisal and Disposition Policy notes that continuity back-ups are destroyed according to the ICT retention schedule (provided under element 4).</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have arrangements in place to securely destroy records, in any format, when appropriate.</p>
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<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The Council's <i>Information and Records Management, Preservation of Archives Policy (see element 3)</i> explains the purpose of keeping archives and identifies record types of potential archival value, such as board minutes. This is reiterated in the <i>Information Management Strategy File Housekeeping – Employee Guidance Note (1)</i>.</p> <p>The Council operate an archive service through their Culture and Leisure Trust: http://www.edlc.co.uk/libraries/your_library/library_opening_hours/william_patrick_library.aspx</p> <p>The Council have provided the Keeper with their <i>Appraisal and Disposition Policy</i> (Version 0.2 – final dated January 2015)</p> <p>This <i>Policy</i> gives a detailed explanation for Council staff how they may arrange records transfer to the archive service. The Council have also provided the Keeper with an example of the documentation raised by such a transfer and with the relevant policy statements of the Trust (for example their <i>Collections Care Statement</i>).</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have appropriate arrangements in place to allow the permanent preservation of records when required.</p>
<p>8. Information Security <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The Plan states (page 10) “Securing information assets, and in particular records, helps to fulfil legislative responsibilities, safeguard the Council’s reputation, ensure business continuity, optimises the management of risk and minimise the impact of security incidents”.</p> <p>With this in mind, East Dunbartonshire Council operate a suite of information</p>

			<p>security policies which are available to Council staff on the ‘Hub’ intranet. The three key policies would appear to be:</p> <ol style="list-style-type: none"> 1. Their <i>Acceptable Use Policy for East Dunbartonshire Council’s ICT Facilities</i> (for simplicity this will referred to as the ‘<i>Acceptable Use Policy</i>’ below). 2. Their <i>Mobile Devices Policy</i> 3. and their <i>Information Classification and Protection Policy</i> <p>All staff must sign a <i>Compliance Statement</i> committing to complying with these three policies and with other information security statements featured in the <i>Acceptable Use Policy</i> section 2.</p> <p>The Keeper has been provided with version 2.1 of the <i>Acceptable Use Policy</i> (2013) and version 3.3 (2012) of the <i>Mobile Devices Policy</i>.</p> <p>Section 1 of the <i>Acceptable Use Policy</i> shows that it’s terms apply to Council employees and to Elected Members.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have arrangements in place to ensure the security of records as required by the Act.</p>
9. Data Protection	G	G	<p>East Dunbartonshire Council have a <i>Data Protection Policy</i>, which is published online at: http://www.eastdunbarton.gov.uk/council/data-protection. A copy signed by Ian Black, Director of Finance and Shared Services has been provided to the Keeper.</p> <p>Subject access procedures are explained in the <i>Data Protection Policy</i> and subject access request instructions for service users appear at http://www.eastdunbarton.gov.uk/council/data-protection/subject-access-request</p>

			<p>The Council is Registered with the Information Commissioner: Z5004355.</p> <p>The <i>Data Protection Policy</i> explains the 8 principles of the Data Protection Act 1998 (<i>Policy</i> section 1.2). These are also mentioned in the <i>Plan</i> (page 12).</p> <p>The <i>Acceptable Use Policy for East Dunbartonshire Council’s ICT Facilities (see element 8)</i> policy features a section on Data Protection (section 12). As well as the e-learning package offered to appropriate staff, the <i>Acceptable Use Policy</i> makes the following commitment: “Elected Members may be offered, or may request, training.”</p> <p>The Council have made the following statement: “I can confirm that the Licensing Board is included in the EDC registration, consideration is being given to registering the Licensing Board separately. We will advise should the current position change.”</p> <p>The <i>Data Protection Policy</i> cross references the <i>Records Management Policy (see element 3)</i>.</p> <p>The Data Protection Officer has a responsibility for training council staff on data protection (<i>Data Protection Policy</i> 3.2.1). The setting up of a working group to raise awareness of data protection is an objective of the <i>Records Management Improvement Action Plan 2015-18 (see IMSIP under General Comments below)</i> with a target date of 31/12/15. The Council make the following statement relating to this: “The Data Protection Officer is currently in the process of setting up a working group. Ian Black, Director of Finance and Shared Services and also the Senior Responsible Officer will Chair this group. He has requested that appropriate people be identified from each directorate. We will update the Keeper on progress.”</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire</p>
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			Licensing Board have properly considered their responsibilities under the Data Protection Act 1998.
10. Business Continuity and Vital Records	A	G	<p>Business Continuity in the Council is currently under review following a move to a new 'SMART' working regime. Those areas that have already made this 'transformation' have created local business continuity plans and a sample of one of these has been provided to the Keeper (Social Work).</p> <p>However, the Council does not currently have a <i>Business Continuity Plan</i> that encompasses all its services in their SMART iteration. The objective of creating, rolling out and publishing a comprehensive plan is a target in the <i>Records Management Improvement Action Plan (see IMSIP under General Comments below)</i>. This Action Plan also specifies the identification of vital records as part of the objective (Objective 2). The target date for completion of the <i>Business Continuity Plan</i> is the end of this year. The Keeper looks forward to receiving a copy of the Continuity Plan when approved.</p> <p>The Keeper agrees this element of East Dunbartonshire Council and East Dunbartonshire Licensing Board's <i>Records Management Plan</i> under 'improvement model' terms. This means that he acknowledges that the Council have put processes in place to close a gap in records management provision. His agreement is conditional on him being provided with a copy of the <i>Business Continuity Plan</i> when it has been approved by the relevant governance groups in the Council.</p>
11. Audit trail	A	G	As with many Scottish public authorities East Dunbartonshire Council's provision under this element is incomplete. The <i>Plan</i> states (page 14) "...audit trails are not in a structured, consistent or centralised format."

			<p>Particularly this appears to be a gap in provision in regard to records held electronically or 'live' paper records still held in local service areas. The Council seems confident that semi-current records and in the archive (see element 7) are fully trackable. A screen shot from the Central Records Store has been supplied to the Keeper as evidence of the procedures for semi-current records.</p> <p>As an example of improvements needed, the Council has supplied a screen shot showing an local electronic records system where an audit trail is integrated. However, this is accompanied by a note explaining that the full audit functionality is not currently operational.</p> <p>The implementation of robust audit trail mechanisms in the Council is a "Priority Outcome" of their <i>Information and Records Strategic Implementation Programme - Work Plan</i> (provided). This plan is managed by the Information and Records Manager (see element 2) and 'owned' by the Finance and Shared Services Director (see element 1).</p> <p>Similarly the <i>Records Management Improvement Action Plan 2015-18</i> (see IMSIP under General Comments below) has as an objective – approved by Iain Black (see element 1) to "Ensure all systems and processes where records are moved or updated have a robust audit trail to ensure ease of locating information" (<i>Action Plan Objective 11</i>).</p> <p>In the meantime, the <i>Information Management Strategy File Housekeeping – Employee Guidance Note (1)</i> (provided) points staff to guidance on naming conventions and filing structures. The Keeper assumes that this is the <i>Information Management Strategy File Housekeeping – Employee Guidance Note (1.)</i>. A Screen Shot of this guidance has been provided.</p>
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			<p>The Council have included a commitment to ensure that the Keeper is updated on the progress in implementing adequate audit trails. The Keeper thanks them for this commitment.</p> <p>The Keeper agrees this element of East Dunbartonshire Council and East Dunbartonshire Licensing Board’s plan on ‘improvement model’ terms. This means that he acknowledges that the authority has identified a gap in their records management provision (audit trails are not in a structured, consistent or centralised format) and have committed to closing that gap. The Keeper’s agreement is conditional on his receiving updates on the progress of this work.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>East Dunbartonshire Council have provided the job specification of the Information and Records Manager. This shows that the individual identified at element 2 has properly been given responsibility to: “ Develop a Records Management Plan to ensure compliance with the Public Records (Scotland) Act” and to “Work with colleagues from across the Council to ensure that the Records Management Plan is fully implemented and adhered to”.</p> <p>The <i>Plan</i> (page 15) commits the Council to provide “ongoing professional development for the Information and Records Manager”.</p> <p>The Council have also committed to offer relevant training to all their staff through their People Development Service. The IMSIP (see under General Comments below) sets out objectives to “improve staff understanding and knowledge of records management with information and training available.”</p> <p>The Council are developing a formal <i>Records Management Competency Framework</i>. The <i>Information and Records Strategic Implementation Programme - Work Plan</i>, which has been provided to the Keeper, shows this objective at 90%</p>

			<p>(section 9.1). The Council have committed to provide the competency framework when approved.</p> <p>The Council has recently invested in e-learning packages on information security, records management, data protection and FOI. There is an intention to offer these to the Records Management Champions (see under General Comments below) in the first instance, then to roll out to other staff. Consideration is being given to including this training in a future staff induction programme (<i>Plan</i> page 15 and <i>Improvement Action Plan</i> section 9).</p> <p>The Council has provided the <i>Records Management Training Pack</i> including instructions and storyboard as an Excel document. Raising awareness of the records management programme is an objective in the <i>Records Management Improvement Action Plan 2015-18</i> (Objectives 4, 5 and 9).</p> <p>The Data Protection Officer has a responsibility for training council staff on data protection (Data Protection Policy 3.2.1) (see element 9 above and Records Management Champions under General Comments below).</p> <p>The Council offers relevant staff data protection training (Data Protection Policy 3.2.1).</p> <p>As part of the improvement programme the Information Management Team holds regular 'drop-in' sessions. Karen Watt (see element 2) is Programme Manager.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have provided evidence that the individual identified in element 2 has appropriate skills and authority to undertake the role and that consideration has been given to records management training for other staff when appropriate.</p>
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<p>13. Assessment and Review</p>	<p>G</p>	<p>G</p>	<p>The Public Records Act 2011 requires scheduled public authorities to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>The introduction to the <i>Plan</i> commits the Council to review their <i>Records Management Plan</i> annually (sections 1 and 3). This will be done under the Council’s formal monitoring and review process (<i>Plan</i> page 16).</p> <p>The <i>Plan</i> also explains the reporting structure for this review and indicates that departmental self-audits will be utilised as part of the process. Regarding this, the Council makes the following statement: “East Dunbartonshire Council Information Management Team are currently developing the form that a robust self-audit and review of the Records Management Plan will take. This is being progressed by the Information and Records Manager, Freedom of Information / Data Protection Officer Stephen Armstrong and Internal Audit Senior Paul Brown. This self-audit will follow the “Elements” of the Public Records Scotland Act and will assess the Information Management Strategic Implementation Programme (IMSIP) which has been allocated to the Council’s 120 Information Champions. The Improvement Plan provided to the Keeper will also inform the Audit and we aim to benchmark areas for setting KPI’s to achieve continuous improvement. The form the Audit will take will be provided to the Keeper as soon as this has been completed.” The Keeper thanks the Council for this commitment.</p> <p>The <i>Information and Records Management, Preservation of Archives Policy</i> is due for review by December 2016.</p> <p>The <i>Appraisal and Disposition Policy</i> is due for review in 2016.</p> <p>There is a commitment in the <i>Plan</i> (page 13 and <i>Records Management Improvement Action Plan 2015-18</i> objective 2) to develop an annual review process for business continuity/recovery.</p>
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			<p>The Council has committed to provide the Keeper with updated policies when available.</p> <p>The IMSIP (see under General Comments Below) will be reviewed on an ongoing basis.</p> <p>The Council's data protection registration is due for renewal in September 2016.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board have arrangements in place to review their RMP as required by the Act.</p>
<p>14. Shared Information</p>	<p>G</p>	<p>G</p>	<p>As is the case with all Scottish local authorities, East Dunbartonshire Council routinely shares information with other bodies while carrying out its functions.</p> <p>The <i>Plan</i> explains the operation of these information sharing ventures in detail.</p> <p>The council is a partner agency in the <i>Greater Glasgow and Clyde Protocol</i> (provided). The Keeper is familiar with this arrangement and agrees that it features information governance among its clauses (for example 1.5).</p> <p>Samples of specific information sharing agreements between the Council and Police Scotland and the Council and the Health Board have been provided as evidence that the principles of the <i>Protocol</i> are operated in practice.</p> <p>They have also submitted a sample <i>Mandate</i>, which could be used to permit the sharing of sensitive personal information by the Council (Criminal Justice and Social Work).</p> <p>The Council commits to following the Information Commissioners <i>Data Sharing</i></p>

		<p><i>Code of Practice:</i> https://ico.org.uk/about-the-ico/consultations/data-sharing-code-of-practice/</p> <p>In their <i>Records Management Improvement Action Plan</i>, the Council notes that it has a target to create a register of information sharing agreements in the summer of 2016. This is welcomed.</p> <p>The Council has committed to submitting a sample from this register when available.</p> <p>The Keeper agrees that East Dunbartonshire Council and East Dunbartonshire Licensing Board properly considers information governance when implementing information sharing arrangements with third parties.</p>
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East Dunbartonshire Council and East Dunbartonshire Licensing Board
For simplicity these two authorities are described as ‘the Council’ in the assessment below.

General Notes on RMP, Including Concerns:

Version

This assessment is on the *Records Management Plan 2015* of East Dunbartonshire Council and East Dunbartonshire Licensing Board. The version assessed is V3 (Final) dated 30th September 2015. It is authorised and signed by Ian Black (**see element 1**) and was prepared by Karen Watt (**see element 2**). It has been formally reviewed by the Freedom of Information/Data Protection Officer (**see element 9**), by the Clerk to East Dunbartonshire Licensing Board and by the Council Archivist (**see element 7**).

The *Plan* follows the structure of the *Keeper's Model Plan*: <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>

The *Plan* is accompanied by a *Covering Letter* from Gerry Cornes, Chief Executive of East Dunbartonshire Council dated 31st August 2015.

The *Plan* gives a good introduction to the purposes of robust records management (sections 1 and 2) and identifies records as a business asset (section 2 and page 10).

At several points, including in the above *Covering Letter* and the *Plan* section 3, it is made clear that the *Plan* is also that of the East Dunbartonshire Culture and Leisure Trust. This is noted. However, the Keeper's agreement only refers to the Council and the Licensing Board. Under PRSA, he has no authority to make a determination whether the *Plan* represents appropriate records management provision for the Trust.

Third Parties

As is typical with a Scottish local authority, some of East Dunbartonshire's functions are carried out, under contract, by third parties. The Act make it clear that records created by the third party, in pursuance of these functions, are 'public records'. The Council acknowledges this in the *Plan* (section 5 page 18) in a statement signed by Ian Black (**see element 1**) and Karen Watt (**see element 2**) and elsewhere in the text.

In order to ensure adequate records management provision is imposed in third-party contracts, the Council use the guidelines published by the Scottish Council on Archives and available from <http://www.scottisharchives.org.uk/projects/toolsstandards/arms/tour>

The Keeper has previously endorsed these provisions and commends their use in these circumstances.

Information Management Strategic Implementation Programme (IMSIP)

East Dunbartonshire Council is currently running a rolling programme of improvements in records management. This programme has been approved by the Council and applies across the Council's business functions. The Keeper has been provided with the Council's *Records Management Improvement Action Plan 2015-18* (version 1.1 dated 14 September 2015) and their IMSIP Programme Work Package. The Keeper welcomes the inclusion of these very useful documents. The *Action Plan* is approved by Iain Black who is the senior officer responsible for the *IMSIP Work Plan (see element 1)*.

The purpose of the IMSIP is described as:

“To create a culture in the Council where information and records are recognised and managed as a Council asset and made available to those who need it, when they need it in all formats.

To implement the Information Management Strategy and produce a programme of work to support this which also facilitates compliance with the 14 elements of the RMP issued by the Keeper of Records in relation to compliance with Public Records Scotland Act 2011.

To meet legislative requirements to comply with the Public Records Scotland Act 2011, Section 61 of the Freedom of Information Scotland Act 2002 and the Data Protection 1998 legislation and any other associated legislative and regulatory requirements.”

The Keeper welcomes the objectives described above.

The IMSIP details the responsibilities for records management within the authority.

The IMSIP has been created with reference to the 14 elements of the Keeper's Model Plan: <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>

As part of the improvement programme the Information Management Team holds regular 'drop-in' sessions. Karen Watt (**see element 2**) is Programme Manager.

The programme recommends movement towards retaining electronic documents as the corporate record and away from a paper-based operation (*Plan* page 14).

The IMSIP will be reviewed on an ongoing basis (*Plan* page 16).

Records Management Champions

East Dunbartonshire have identified records management leads in each of its service areas. The 120 'champions' are responsible for monitoring the implementation of the *Plan* locally. The Keeper highly commends the utilisation of local records management champions as likely to raise the profile of the Plan during the implementation period.

The Council have provided the work schedule for the Records Management Champions. This shows the close involvement of Champions in implementation in their local areas and shows how close to completion they are for different aspects of the programme (for example awareness raising is shown at 80% in June 2015). The *Plan* (page 15) emphasises that champions will be trained in order to "progress the plan". The Champions are also to be utilised in reviewing the *Plan* (*Plan* page 16).

The Council has recently invested in e-learning packages (**see element 12**). The Plan states (page 15) that this training will be made available to Records Management Champions. Specifically, the data protection training pack for records management champions is identified as a target in the *Records Management Improvement Action Plan 2015-2018*.

The Council have committed to providing the Keeper with this training pack when available.

The *Action Plan 2015-18* also indicates further involvement of Records Management Champions in the drop-in sessions (**see IMSIP above**) and in general awareness-raising (Objective 5).

Transformation Agenda

East Dunbartonshire Council has recently undergone a change in working practices described as a 'transformation agenda'. The introduction of SMART working through service areas has some effect on certain elements (**see element 10 for example**).

6. Keeper's Summary

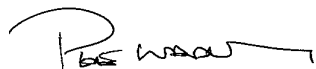
Elements 1 - 14 that the Keeper considers should be in a public authority records management plan have been properly considered by East Dunbartonshire Council and East Dunbartonshire Licensing Board. Policies and governance structures are in place to implement the actions required by the plan.

7. Keeper's Determination

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

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



.....
Tim Ellis
Keeper of the Records of Scotland