

Public Records (Scotland) Act 2011

North Lanarkshire Council and North Lanarkshire Licensing Board

The Keeper of the Records of Scotland

8th June 2017

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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 **North Lanarkshire Council and North Lanarkshire Licensing Board** by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 14th December 2017.

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

3. Authority Background

North Lanarkshire is one of 32 council areas of Scotland. It borders onto the northeast of the City of Glasgow and contains many of Glasgow's suburbs and commuter towns and villages. It also borders East Dunbartonshire, Falkirk, Stirling, South Lanarkshire and West Lothian. The council covers parts of the traditional counties of Dunbartonshire, Lanarkshire and Stirlingshire.

The area was formed in 1996, largely made up from the Cumbernauld and Kilsyth, Motherwell and parts from the former Monklands District Council (1975-1996) as well as significant elements of Strathclyde Regional Council.

<http://www.northlanarkshire.gov.uk/index.aspx?articleid=27397>

North Lanarkshire Licensing Board was constituted under Section 5 of the Licensing (Scotland) Act 2005 and Section 2 of the Gambling Act 2005 as the relevant Licensing Board for the local authority area of North Lanarkshire

The Board is responsible for administering the liquor licensing system under the Licensing (Scotland) Act 2005 Act and certain gambling licensing under the Gambling Act 2005 within North Lanarkshire. In particular, the Board is responsible for processing applications for the following: -

- Grant / renewal of licences for the sale of alcohol in premises and to individuals to supervise or authorise the sale of alcohol
- Grant occasional licences allowing the sale and consumption of alcohol
- Grant licences for premises where gambling is to take place
- Grant various permits under the Gambling Act 2005

The Board comprises 10 elected members of the Council.

<http://www.northlanarkshire.gov.uk/index.aspx?articleid=20112>

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 [named public authority]'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

North Lanarkshire Council and Licensing Board

(For ease these two scheduled authorities will be described as ‘The Council’ in the assessment below)

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>North Lanarkshire Council have identified Brian Cook, Head of Revenue and E-Government Solutions, as the individual with overall responsibility for records management in the authority.</p> <p>This appointment is confirmed by a <i>Covering Letter</i> from Paul Jukes, the Council’s Chief Executive.</p> <p>North Lanarkshire Licensing Board have identified Archie Aitken, Head of Business for Legal and Democratic Solutions as the individual with overall responsibility for records management in the Board.</p> <p>This is confirmed by a letter from Mr Aitken where he commits the Licensing Board to follow the <i>Records Management Plan</i> (the <i>Plan</i>) of the Council.</p> <p>Mr Cook is the ‘owner’ of the <i>Plan</i> and of the <i>Records and Information Management Strategy</i>, the <i>Data Protection Policy</i> (see element 9), the <i>Information Risk Policy</i> (see element 8) and <i>Improvement Plan</i> (see <u>Version</u> under General Comments below).</p>

			<p>Mr. Cook is the Council’s Senior Information Risk Officer (SIRO) and as such takes ownership of the authority’s information risk. As such he has a responsibility for liaising with the council’s Management Team regarding “significant information risk issues” (<i>Information Risk Policy</i> section 7). There is a commitment that the SIRO “Will implement and lead information risk and management processes within the Council.” (<i>Data Protection Policy</i> section 2 – see element 9).</p> <p>The SIRO is accountable for the implementation of the <i>Information Risk Policy</i> and prepares the Council’s <i>SIRO Annual Report</i> in which he is required to confirm that “information risk management is formally embedded into the key controls and approval processes of all major business processes and functions of the council” (<i>Information Risk Policy</i> section 2). Mr Cook’s SIRO role is supported by an accountable hierarchy and the development of an <i>Information Asset Register</i> (see element 4).</p> <p>The SIRO is responsible for the <i>Information Governance Policy Framework</i> for which he has provided a foreword.</p> <p>As Head of Revenue and E-Government Solutions, Mr. Cook attends the Corporate Management Group where he is the spokesperson and advocate for records management.</p> <p>Mr Aitken, as Head of Business for Legal and Democratic Solutions, is the Council’s Corporate Data Protection Officer and as such is responsible for “personal data, collected, held and processed by the Council.” (<i>Data Protection Policy</i> section 7). He develops and implements the Council’s data protection strategy (see element 9) and is responsible for producing guidance on privacy impact assessments.</p> <p>The Corporate Data Protection Officer reports to the SIRO on the Council’s compliance with the Data Protection Act 1998 on a six monthly basis.</p>
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			The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have identified appropriate individuals to this role as required by the Public Records (Scotland) Act 2011 (the Act).
2. Records Manager <i>Compulsory element</i>	G	G	<p>North Lanarkshire Council and North Lanarkshire Licensing Board have identified Fiona Hughes, Corporate Records Manager, as the individual with day-to-day responsibility for implementing the <i>Plan</i> in the authority.</p> <p>This appointment is confirmed by a <i>Covering Letter</i> from Paul Jukes, the Council’s Chief Executive, and by a covering letter from the Clerk. The responsibilities of the Corporate Records Manager are also identified in the <i>Records Management Policy (see element 3)</i>.</p> <p>Ms. Hughes is the creator of the <i>Plan</i> and of the <i>Records and Information Management Strategy and Improvement Plan (see <u>Version</u> under General Comments below)</i>.</p> <p>The Corporate Records Manager has a responsibility to “Provide expertise on respective areas underpinning information risk management.” (<i>Information Risk Policy</i> section 6).</p> <p>Ms. Hughes is responsible for reviewing the guidance around naming conventions (Plan page 7).</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have identified an appropriate individual to this role as required by the Act.</p>
3. Policy <i>Compulsory</i>	G	G	North Lanarkshire Council and Licensing Board have a <i>Records Management Policy (the Policy)</i> which has been supplied to the Keeper. This is version 1.0 approved by

<p><i>element</i></p>			<p>Policy and Resources on 16 September 2014.</p> <p>The Council have also supplied their <i>Information Governance Policy Framework</i> (the <i>Framework</i>) version 1.0 also approved by Policy and Resources in September 2014.</p> <p>The <i>Policy</i> explains the purpose of good records management and mentions the Act. The <i>Framework</i> explains the purpose of good information governance.</p> <p>Furthermore the <i>Policy</i> specifically sets out an objective to develop a culture of effective records management (<i>Policy</i> section 4). The Keeper strongly commends this objective as being entirely compatible with the aims of the Act.</p> <p>The Keeper has been provided with a screen-shot from the Council's intranet 'Connect' showing staff can access these and other information governance policies.</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have a records management policy statement as required by the Act.</p>
<p>4. Business Classification</p>	<p>A</p>	<p>G</p>	<p>The Council's <i>Records Management Policy</i> (see element 3) explains the purpose and advantages of a Corporate File Plan (<i>Policy</i> section 8).</p> <p>The Council operates a hybrid paper/electronic system. Electronic records are held in line-of-business systems, EDRM and on shared drives.</p> <p>The Council has have constructed a <i>Business Classification Scheme/File Plan</i> around a EDRM system. However, in 2015 a decision was taken to move from this system to a SharePoint solution. This work is still underway.</p>

			<p>Many Scottish public authorities have opted for the SharePoint solution. The Keeper notes that SharePoint is not in itself a records management system and for full functionality, particularly relating to ensuring that metadata travels with the record when extracted from the system – for the purposes archiving for example – an extra records management module may be required. He acknowledges that the Council has responded to this issue by implementing a recognised bolt-on (RecordPoint).</p> <p>This is confirmed in the <i>Records and Information Management Strategy and Improvement Plan</i> (see Version under General Comments below) as follows: “The council has opted to move to a new EDRMS which will eventually be used to manage all unstructured electronic records. A pilot is scheduled to take place in early 2017. The existing classification scheme will be adapted into practical file plans as each functional area moves its records from the shared drives to the EDRMS.”</p> <p>The introduction of the SharePoint/RecordPoint solution will support a ‘target’ in the <i>Records and Information Management Strategy and Improvement Plan</i>: “Putting this strategy into practice will help the council Know where to save the information we need to keep.” (<i>Improvement Plan</i> section 1.2). Similarly the <i>Records and Information Management Strategy and Improvement Plan</i> states that ‘good information’ “should be stored in the right place so we can find it and use it”. (<i>Improvement Plan</i> section 1.4)</p> <p>The <i>Plan</i> states (page 7): “As this new platform is rolled out corporately, the Council will build on its existing tools and processes to promote effective records management.” The Keeper agrees this action.</p> <p>The Keeper acknowledges that he has seen the current (previous EDRM solution)</p>
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			<p>file plan and agrees that having this already in place will greatly assist in the transition to SharePoint.</p> <p>The <i>Information Security Policy</i> states under ‘responsibility for assets’: “An owner, either an individual, area or a team, must be formally assigned to all information and assets connected with information processing. The owner has responsibility for controlling the production, development, maintenance, use and security of a named asset.” (<i>IS Policy</i> page 13). With this requirement in mind the Council is also developing a full <i>Information Asset Register</i> “that lists the structured and unstructured record sets that it is (sic) owns and manages. It is acknowledged that the document does not yet cover all record sets...” The creation of an <i>Information Asset Register</i> is supported by the <i>Information Risk Policy</i> (see element 8) section 5. The <i>Register</i> will be published on the Council’s intranet ‘Connect’. The Keeper commends the development of an <i>Information Asset Register</i> and ask that he is informed when it can be considered ‘complete’. The Council have committed to do this.</p> <p>The Keeper agrees this element of North Lanarkshire Council and North Lanarkshire Licensing Board’s <i>Records Management Plan</i> under ‘improvement model’ terms. This is in acknowledgement of the authority being in a state of transition between electronic records management solutions (see above). He is convinced of the commitment to complete this work, however his agreement is conditional on his being updated as the project progresses. The Council have committed to do this.</p>
5. Retention schedule	G	G	<p>The Council’s <i>Records Management Policy</i> (see element 3) explains the purpose and advantages of a Corporate Retention Schedule (<i>Policy</i> section 9).</p> <p>To this end, the Council have adopted the Scottish Council on Archives ‘SCARRS’ retention model. The Keeper agrees that this is entirely appropriate for use by a</p>

			<p>local authority.</p> <p>The <i>Retention Schedule</i> supports a ‘target’ in the <i>Records and Information Management Strategy and Improvement Plan</i> (see <u>Version</u> under <u>General Comments</u> below): “Putting this strategy into practice will help the council feel confident to dispose of information we no longer need.” (<i>Improvement Plan</i> section 1.2).</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have a retention schedule that applies appropriate retention decisions to the record types featured in their <i>Business Classification Scheme</i>.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p>A</p>	<p>G</p>	<p>The Council commit to disposing of “information of a personal or confidential nature “ securely and when there is no longer a legal or business need to keep it” (<i>Information Governance Policy Framework – see element 3 – section 8</i>) and that “records are confidentially destroyed when no longer required.” (<i>Policy – see element 3 – section 4</i>).</p> <p>With this in mind the Council has the following procedures in place for the destruction of records:</p> <p><u>Paper (internal)</u>: The Council disposes of its hard-copy public records using third-party shredding companies. Certificates have been supplied to show that these arrangements are operational.</p> <p><u>Paper (external)</u>: The <i>Records and Information Management Policy</i> refers to a ‘storage facility managed by NLIndustries (<i>Policy</i> section 11). NL Industries are an in-house Council initiative providing supported work placements. Destructions are managed as part of a formal agreement with the Records Management team in CultureNL Ltd.</p>

			<p><u>Electronic:</u> Until the SharePoint/RecordPoint solution is fully implemented (see element 4) the Council cannot be confident that all electronic records are destroyed timeously. The Plan states (page 9) “It is acknowledged that some improvement could be made in the management of destruction of records held in shared drives. The Council has already undertaken various data cleansing exercises in preparation for migration to the initial EDRMS and this will continue as part of the current SharePoint/RecordPoint EDRMS project. Once records have been migrated to the EDRMS they will be more effectively managed.” The Keeper agrees these actions. The Council has committed to ensuring that the Keeper is updated regarding these agreed actions.</p> <p><u>E-mail:</u> E-mails are subject to automatic retention and deletion. Staff guidance on the appropriate destruction of e-mail is available from a flow chart ‘Managing Your E-mail’ which has been supplied to the Keeper. The Keeper welcomes the Council’s acknowledgement of the particular issues regarding e-mail management. Separate email guidance has been prepared and posted on the Council’s intranet. A copy is has been forward with this report. It is The Council’s stated intention to review this guidance following the SharePoint/RecordPoint pilot.</p> <p><u>Back-ups:</u> The Council, quite properly, backs-up information as a defence against unexpected loss of service (see <i>Information Security Policy</i> section 15.7). The <i>Plan</i> explains the back-up cycle and the Keeper agrees that the Council can be confident how long back-up copies of records are available.</p> <p><u>Hardware:</u> The Council has arrangements in place to ensure that records are deleted from hardware when it is being made redundant (see <i>Information Security Policy</i> section 15.9). This has been confirmed by the submission of recorded proof of an arrangement with a third-party destruction contractor. A commitment to this arrangement is confirmed by the <i>Information Security Policy</i></p>
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			<p>(section 14.3.2).</p> <p>The Keeper agrees this element of North Lanarkshire Council and North Lanarkshire Licensing Board’s <i>Records Management Plan</i> under ‘improvement model’ terms. This means that he acknowledges that the authority has recognised a gap in provision (the systematic destruction of electronic records held on shared drives could be improved). He agrees that the authority has instigated processes to close that gap (migration to the new SharePoint solution). The Keeper’s agreement is conditional on him being updated as this project progresses (see element 4). The Council has committed to do this.</p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>North Lanarkshire Council and Licensing Board have identified North Lanarkshire Archives https://culturenl.co.uk/museums/archives-and-local-history-museums/north-lanarkshire-archives/ 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 (see element 3)</i> that the Council’s records management provision should “Support public rights of access to information and ensure that records of long-term value are identified and preserved as archives within the collections of the council.” (<i>Policy</i> section 4) and that “The archives are the designated place of deposit for council records of continuing evidential and historical value” (<i>Policy</i> section 5).</p> <p>The Council notes archived information as an asset in their <i>Information Security Policy (see element 8)</i> page 13.</p> <p>The Council’s archive service is part of the ALEO CultureNL.</p>

			<p>The Council’s arrangement with the archive service is principally for paper copies. It is usual in Scottish public authorities, arrangements for the permanent retention of ‘born digital’ items are in their infancy. The Keeper accepts this, but will monitor going forward.</p> <p>The Council have supplied the Keeper with a suite of ‘archiving’ policies and procedures and the Keeper agrees these are appropriate. These policies are supported by commitments in the <i>Plan</i> (for example under ‘Retention Schedules’ on page 8)</p> <p>The Keeper has been provided with a screen-shot from the Council’s intranet ‘Connect’ showing staff can access these and other information governance policies.</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have ‘proper arrangements’ for the archiving of their public records when appropriate as required by the Act.</p>
<p>8. Information Security <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>North Lanarkshire Council and Licensing Board have an <i>Information Security Policy</i> (the <i>IS Policy</i>) which has been supplied to the Keeper. This is version 1.1 approved by Policy and Resources in September 2014.</p> <p>This is the fundamental information security document in the Council made up of a suite of sub-policies or ‘Policy Domains’.</p> <p>The <i>IS Policy</i> states: “It is the policy of North Lanarkshire Council to ensure that Information will be protected from loss of:</p> <ul style="list-style-type: none"> • Confidentiality:- so that information is accessible only to authorised individuals. • Integrity:- safeguarding the accuracy and completeness of information and processing methods.

			<p>• Availability:- that authorised users have access to relevant information when required.” (<i>IS Policy</i> section 4).</p> <p>To this end the Council have committed to aligning its processes with the international standard ISO27001. The Keeper commends this commitment.</p> <p>The responsibility placed on staff for the secure use of Council records is set out in policies published online: http://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=12417&p=0 http://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=12424&p=0</p> <p>The <i>Information Security Policy</i> explains the physical security applied to hard-copy records and to the servers storing electronic records (see for example section 14).</p> <p>The Keeper agrees that the <i>Information Security Policy</i> supports a ‘target’ in the <i>Records and Information Management Strategy and Improvement Plan</i> (see <u>Version</u> under <u>General Comments</u> below): “Putting this strategy into practice will help the council be confident that we are reducing risks and handling information appropriately.” (<i>Improvement Plan</i> section 1.2). Similarly the <i>Records and Information Management Strategy and Improvement Plan</i> states that ‘good information’ “should be secure enough for the level of sensitivity of the information”. (<i>Improvement Plan</i> section 1.4)</p> <p>The Council has also supplied its <i>Information Risk Policy</i> (version 2.0 September 2014). This supports the ‘Policy Domain’ Risk Assessment (<i>IS Policy</i> page 11).</p> <p>The Council has also supplied its <i>Information Handling Policy</i> (version 2.1 September 2014). This explains the adoption of security classification in the Council.</p>
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<p>9. Data Protection</p>	<p>G</p>	<p>G</p>	<p>North Lanarkshire Council and Licensing Board have a <i>Data Protection Policy</i> (the <i>DP Policy</i>) which has been supplied to the Keeper. This is version 2.0 approved by Policy and Resources in September 2014.</p> <p>The Council’s Corporate Data Protection Officer is Archie Aitken, Head of Business for Legal and Democratic Solutions (see element 1).</p> <p>The Council is registered with the Information Commissioner: Z6167966.</p> <p>The Council has decided that the Licensing Board will register separately with the ICO and an application has been made.</p> <p>The <i>DP Policy</i> explains the 8 (current) principles of the Data Protection Act.</p> <p>The Council publish a statement on data protection and subject access at: http://www.northlanarkshire.gov.uk/index.aspx?articleid=12657</p> <p>The Council publish a statement on web-privacy at: http://www.northlanarkshire.gov.uk/index.aspx?articleid=15003</p> <p>The responsibility of staff for the secure use of personal information is set out in</p>

			<p>policies published online: http://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=12424&p=0</p> <p>The <i>DP Policy</i> is supported by the <i>Information Risk Policy</i> (see element 8).</p> <p>The Keeper has been provided with a screen-shot from the Council’s intranet ‘Connect’ showing staff can access these and other information governance policies.</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have properly considered their responsibilities under the Data Protection Act 1998.</p>
<p>10. Business Continuity and Vital Records</p>	<p>A</p>	<p>G</p>	<p>The Keeper has be supplied with a letter from North Lanarkshire Council’s SIRO (see element 1) confirming that “the Council has in place fully operational contingency and disaster recovery plans.” Due to security policies operating at the Council they have declined to submit a sample of these in evidence.</p> <p>The Keeper has agreed that this is appropriate and accepts the SIRO’s confirmation of the existence of a <i>Business Continuity Plan</i> as evidence for this element of the Council’s <i>Plan</i>.</p> <p>The <i>Plan</i> explains (page 14) how the contingency arrangements fit in to the Council’s business.</p> <p>The implementation and review of <i>Business Continuity Plans</i> supports a commitment in the <i>Information Security Policy</i> (see element 8) section 19 ‘Business Continuity Management’ as well as sections 4 and section 8.</p> <p>The Council’s business continuity arrangements support the statement in the</p>

			<p><i>Records and Information Management Strategy and Improvement Plan (see Version under General Comments below):</i> “There should be a plan in place for when things go wrong.” (<i>Improvement Plan</i> section 1.4)</p> <p>The <i>2010 Information Management Guidelines</i> (supplied to the Keeper) state that: “Vital records, as detailed in service business continuity plans, require special consideration because they contain information which, in the event of loss, cannot be recovered. Consideration should be given to actions which might mitigate the risk of losing vital records”. The <i>Information Security Policy</i> states that “Continuity plans must identify critical operational processes based on risk, and address workarounds and resumption of activity on a prioritised basis.” (<i>IS Policy</i> section 19.2.1). However, the identification of those records is not complete throughout the Council.</p> <p>The Keeper agrees this element of North Lanarkshire Council and North Lanarkshire Licensing Board’s <i>Records Management Plan</i> under ‘improvement model’ terms. This means that he acknowledges that the authority has recognized a gap in provision (vital records are not fully identified). He agrees that the authority has instigated processes to close that gap (an exercise to identify vital records and producing staff guidance). The Keeper’s agreement is conditional on him being updated as this project progresses (see element 4). The Council has committed to do this.</p>
11. Audit trail	A	G	<p>The Council state that the purpose of their <i>Information Governance Policy Framework (see element 3)</i> includes storage systems that will “enable NLC staff to have timely access to meaningful information” (<i>Framework</i> section 3).</p> <p>The <i>Records and Information Management Strategy and Improvement Plan (see Version under General Comments below)</i> states under ‘Next Steps’ (section 3.3):</p>

			<p>“The council has purchased, and is committed to rolling out, a new EDRMS for unstructured council records that are currently held on shared drives. This project is currently at the pilot stage with full rollout schedule to be agreed. The Corporate Records Manager will review the guidance on naming conventions.” The Keeper agrees these actions.</p> <p>This is supported by a ‘target’ in the <i>Records and Information Management Strategy and Improvement Plan</i>: “Putting this strategy into practice will help the council to find the information we need to do our work.” (<i>Improvement Plan</i> section 1.2). Similarly the <i>Records and Information Management Strategy and Improvement Plan</i> states that ‘good information’ “should be stored in the right place so we can find it and use it”. (<i>Improvement Plan</i> section 1.4).</p> <p>The Keeper agrees that many of the line-of-business systems used by the Council will impose suitable naming convention/version control at time of record-creation to adequately track records subsequently.</p> <p>Staff guidance for the naming of electronic records has been provided in the <i>Records and Information Management Guidelines</i>. This document has been provided to the Keeper (version 1.0 October 2010). As noted above, this guidance will be reviewed in line with the improvements noted in element 4 above. In order to keep North Lanarkshire Council’s submission up-to-date, the Keeper requests the updated version of this guidance when available.</p> <p>The Keeper agrees this element of North Lanarkshire Council and North Lanarkshire Licensing Board’s <i>Records Management Plan</i> under ‘improvement model’ terms. This means that he acknowledges that the authority has recognised a gap in provision (not all electronic records can be centrally tracked). He agrees that the authority has instigated processes to close that gap (migration to the new SharePoint solution). The Keeper’s</p>
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			<p>agreement is conditional on him being updated as this project progresses (see element 4). The Council have committed to do this.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>The Council has supplied the Keeper with the <i>Job Description</i> and the <i>Employee Specification</i> for the Corporate Records Manager (see element 2). The former shows her as being responsible for (among many other objectives) “Advising on all issues relating to statutory responsibilities for corporate records and archives including those relating to the Data Protection Act 1998, the Freedom of Information (Scotland) Act 2002 and the Public Records (Scotland) Act 2011.” And the latter: “Knowledge of current legislation relating to Records Management (Public Records Act, Freedom of Information Act and Data Protection Act etc.)”</p> <p>Information governance training is mandatory where appropriate. This includes a module on “Records and Information Management”. This training supports commitments made elsewhere: For example in the <i>Records and Information Management Strategy and Improvement Plan</i>: “Everyone should be trained to the appropriate level and know their role.” (<i>Improvement Plan</i> section 1.4) and further commitments such as that in the <i>Information Risk Policy</i> (section 10).</p> <p>The specific implementation of information security training supports a commitment in the <i>Information Security Policy</i> (see element 8) section 4 and section 13.3.5.</p> <p>The <i>Records and Information Management Strategy and Improvement Plan</i> (see <u>Version</u> under General Comments below) states under ‘Next Steps’ (section 3.4): “Training and awareness should be provided to all staff, at a level appropriate to their role, in order to ensure that they are aware of their responsibilities in relation to managing, processing and protecting personal data. Staff are required to refresh their data protection training every two years.” The Keeper agrees these actions.</p> <p>Service managers are responsible for ensuring that their staff are appropriately</p>

			<p>trained on data protection issues and for reporting this training to the Corporate Data Protection Officer (see element 1).</p> <p>The Information Assurance Working Group (see under General Comments below) is responsible for promoting this training.</p> <p>Screen-shots showing a selection of information governance training available to staff have been supplied.</p> <p>The Keeper agrees that the individual identified at element 2 has the authority and skills required to implement the <i>Plan</i> and that information governance training is provided for staff where appropriate.</p>
<p>13. Assessment and Review</p>	<p>G</p>	<p>G</p>	<p>The Act requires a scheduled public authority to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>North Lanarkshire Council and North Lanarkshire Licensing Board acknowledge this in their <i>Records and Information Management Strategy and Improvement Plan</i> (see <u>Version</u> under General Comments below), where they state that “There should be processes in place to review, measure and improve performance” (<i>Improvement Plan</i> section 1.4).</p> <p>The <i>Records and Information Management Strategy and Improvement Plan</i> states under ‘Next Steps’ (section 3.4): “The Information Governance Working Group has committed to carrying out an initial baseline assessment of senior managers. This will be followed up by targeted self-assessment using the Archives and Records Management Service Quality Improvement Tool (ARMs) to provide a more detailed picture of the level of awareness and compliance with records management standards across the functions of the council.” The Keeper agrees these actions.</p>

			<p>All policies supplied in evidence are scheduled for review within two years of approval. Most information governance framework policy documents are due for review by the winter of 2018.</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have properly considered the review of their <i>Records Management Plan</i> as required by the Act and have set out responsibilities, reporting procedures and methodology relating to such a review. The Keeper also agrees that documents submitted in evidence have suitable review dates applied.</p>
<p>14. Shared Information</p>	<p>G</p>	<p>G</p>	<p>The Council is a partner in a information sharing protocol with other Lanarkshire public authorities.</p> <p>A sample ISP under the Lanarkshire Data Sharing Partnership has been supplied to the Keeper.</p> <p>The Corporate Data Protection Officer (see element 1) is obliged to maintain a register of data sharing agreements in the Council. The Keeper has seen a sample page of this register.</p> <p>Contractors managing public records on behalf of the Council are provided with the <i>Records Management Policy</i> (see element 3) as guidance.</p> <p>The Keeper agrees that information sharing protocols support the purpose of their <i>Information Governance Policy Framework</i> (see element 3): That the Council should be able to “share information with colleagues, partners and customers but only where appropriate and where legally possible.” (<i>Framework</i> section 3).</p> <p>They also support a statement in the <i>Records and Information Management Strategy and Improvement Plan</i> (see <u>Version</u> under General Comments below):</p>

			<p>relating to ‘good information’ “If we need to share it there should be processes for doing this appropriately”. (<i>Improvement Plan</i> section 1.4)</p> <p>Arrangements for information sharing explained in the <i>Plan</i> reflect the commitments in the Council’s <i>Information Security Policy</i> (see element 8) section on ‘Information Exchange’ (section 15.10) and <i>Data Protection Policy</i> (section 12).</p> <p>The Keeper agrees that North Lanarkshire Council and North Lanarkshire Licensing Board have properly considered the records management implications of information sharing.</p>
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North Lanarkshire Council and Licensing Board

(For ease these two scheduled authorities will be described 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 North Lanarkshire Council and North Lanarkshire Licensing Board version 1.0 dated 15/11/2016.

The *Plan* is accompanied by a *Covering Letter* from Paul Jukes, Chief Executive dated May 2016 and by the Council’s *Records and Information Management Strategy and Improvement Plan*. This is version 1.0 approved by the Information Governance Working Group (**see below**) in November 2016. The *Improvement Plan* states (page 3) “This strategy will enable the council to fulfil the commitments made in the Records Management Plan, ensure compliance with the Public Records (Scotland) Act 2011 and provide

a framework for continuous improvement.” The Improvement Plan shows, in a diagram, how policies and procedures fit into the overall records and information strategy.

The Introduction to the *Plan* (page 3) provides a clear statement that it applies to North Lanarkshire Licensing Board.

The reporting structure for information governance issues in the Council is illustrated by a diagram at section 7 of the *Information Risk Policy (see element 8)*.

In the introduction, the *Plan* provides an explanation of records management in the authority and of the Public Records (Scotland) Act 2011.

North Lanarkshire Council recognise records as a business asset (for example *Policy (see element 3)* page 4, *Information Risk Policy (see element 8)* section 4 and *Information Security Policy* page 13) The Keeper welcomes this recognition.

The RMP 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 agrees that the *Plan* will assist the Council in meeting its corporate target to be “open and accountable” *North Lanarkshire Council Corporate Plan 2013-2018* (page 8) <http://www.northlanarkshire.gov.uk/index.aspx?articleid=1240>

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)).

This is acknowledged at several places in the *Plan* and in the accompanying evidence (for example *Plan* page 4, *Information Handling Policy* section 3 or *Framework – see element 3* - page 5).

North Lanarkshire Council have committed to including relevant clauses in future contracts to establish information governance arrangements at the outset. The *Framework* states: “ all contractual arrangements will include a section detailing the council’s Information Governance compliance requirements.” (*Framework* section 4).

The Council have also provided a letter from the Chief Executive of an ALEO, CultureNL Ltd, confirming that their organisation will adopt the Council's *Plan*. The individual identified at element 2 is an employee of this ALEO.

The Information Governance Working Group and Information Assurance Working Group:

These groups work under the mandate of the *Records Management Policy and Framework* (**see element 3**).

The Information Governance Working Group is the Council's strategic records and information management group. The Head of Business for Legal and Democratic Solutions (**see element 1**) chairs the Group. This group is responsible for identifying information risk (**see element 8**) and approving major initiatives to enhance information security. They also undertake the review of many of the policies submitted in evidence under the guidance of the SIRO (**see element 1**).

The Information Assurance Working Group, which reports to the Governance Group, is responsible for ensuring that information is managed throughout its lifecycle, for identifying and promoting good practice in records management and for the management of the *Information Asset Register* (**see element 8**) which is 'owned' by the Information Governance Working Group. The Assurance Group is driving the practicalities of the SharePoint project (**see element 4**). A sub-group is currently reviewing the Council's retention schedule.

The Corporate Records Manager (**see element 2**) participates in both these groups.

The Assurance Group is chaired by the Information Assurance Lead. "The IAWG will also harmonise policy, practice and support information governance and information management across North Lanarkshire Council." (*Information Risk Policy* section 7).

Both working groups were involved in the review of the *Information Governance Policy Framework* (**see element 3**).

The Governance Working Group approved the *Records and Information Management Strategy and Improvement Plan* (**see above**).

The Information Governance Working Group is required to confirm that “information risk management is formally embedded into the key controls and approval processes of all major business processes and functions of the council” (*Information Risk Policy* section 2).

The Assurance Group has oversight of the security classification of records in the Council (although initial decisions are by the record creator or recipient).

Terms of reference for both these groups have been supplied to the Keeper. Both groups are involved in the review of policies (for example *Information Handling Policy* page 2).

These groups are clearly of fundamental importance to records management in the authority and the Keeper thanks North Lanarkshire Council for including information about their work in the submission.

6. Keeper's Summary

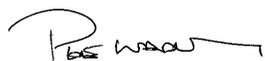
Elements 1 - 14 that the Keeper considers should be in a public authority records management plan have been properly considered by North Lanarkshire Council and North Lanarkshire Licensing Board. Policies and governance structures are in place to implement the actions required by the plan.

7. Keeper's Determination

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

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



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