

Public Records (Scotland) Act 2011

**Renfrewshire Council and Licensing Board
Assessment Report**

The Keeper of the Records of Scotland

16 August 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 Renfrewshire Council and Licensing Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 31 March 2016.

The assessment considered whether the RMP of Renfrewshire Council and Licensing Board was developed with proper regard to the 14 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP of Renfrewshire Council and Licensing Board complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

Renfrewshire Council is one of 32 council areas of Scotland. Located in the west central Lowlands, it is one of three council areas contained within the boundaries of the historic county of Renfrewshire, the others being East Renfrewshire to the east and Inverclyde to the west. It also shares borders with Glasgow, North Ayrshire and West Dunbartonshire Councils. It is the 9th largest local authority in Scotland with over 9000 staff and a population of 170000.

Renfrewshire Licensing Board consists of a convenor and 7 councillors covering licensing issues in the local authority area.

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 Renfrewshire Council and 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

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>The Records Management Plan (RMP) identifies Alan Russell, Director of Finance and Resources as having senior management responsibility for records management within the Council. Mr Russell is also the Senior Information Risk Owner (SIRO) for the Council. This appointment is confirmed in a covering letter from the Council's Chief Executive, Sandra Black (appendix 1).</p> <p>The individual nominated as having senior responsibility for records management within the Licensing Board is Kenneth Graham, Clerk to the Licensing Board. This is confirmed in a letter from Mr Graham (appendix 2).</p> <p>The Keeper agrees that appropriate individuals have been identified as having</p>

			senior management responsibility for records management within the Council and Licensing Board as required by the Public Records (Scotland) Act 2011 (PRSA).
2. Records Manager <i>Compulsory element</i>	G	G	<p>The person named as having operational responsibility for records management within the Council and Licensing Board is Joseph Bartoletti, Records Manager.</p> <p>This appointment is confirmed in a covering letter from the Council's Chief Executive, Sandra Black (appendix 1). Also submitted as evidence is a letter from the Clerk to the Licensing Board, Kenneth Graham (appendix 2) which delegates responsibility for the day-to-day responsibility for records management to Mr Bartoletti.</p> <p>The Records Manager also has responsibility for chairing the Data Protection, Freedom of Information and Records Management Working Groups (RMWG), and also sits on the Information Management and Governance Group (IMGG). Although not required by PRSA, the RMP also states that Mr Bartoletti holds a relevant records management qualification. The Keeper commends the appointment of an appropriately qualified individual to fulfil this important role.</p> <p>Also submitted as evidence is the Records Manager's Job Description (appendix 3). This clearly shows a responsibility for records management, as well as the responsibilities for Data Protection and Freedom of Information.</p> <p>The Keeper agrees that an appropriate individual has been nominated to take operational responsibility for records management within the Council and the Licensing Board as required by PRSA.</p>
3. Policy <i>Compulsory element</i>	G	G	The Council has submitted its Records Management Policy (appendix 4). This is version 3.0, approved by the Records Management Working Group in October 2015 and is due for review in October 2018. The RMP states that the Policy covers all records created by all staff in all formats in the course of their work and also

			<p>specifically states that it also applies to the Licensing Board.</p> <p>The Policy outlines the benefits of complying with best practice records management, which includes business efficiencies and legislative compliance. It also sets out the responsibilities of staff and elected members and also clearly defines those of the Records Manager. It also mentions the Records Management Working Group which consists of representatives of each service area.</p> <p>The Policy also commits the Records Manager to developing guidance which will allow staff to comply with the Policy. Topics covered include: records management; business classification; destruction; and email. The Policy also contains an Appendix which relates to the use of emails and stresses the importance of managing these properly if they contain evidence of business carried out by the Council.</p> <p>RMP states that the Policy is available to all staff on the Councils' intranet, Renfo. The Council has submitted a screenshot showing how staff are able to access the Records Management Policy (Appendix E3). The Council has also published the Policy on its website. The Keeper commends this outward facing approach to providing stakeholders with access to key information governance policies.</p> <p>The Keeper agrees that the Council has an approved records management policy which outlines its corporate approach to records management and that staff are aware of their responsibilities under the policy.</p>
4. Business Classification	A	G	<p>The RMP states that the Council has adopted the Local Government Classification Scheme (LGCS) as the basis for its Business Classification Scheme (BCS). The Keeper recognises that this is an entirely suitable method for the development of a local authority's BCS. It is a three-tier functional model which should be more resilient to organisational restructuring which the Keeper acknowledges as currently being best practice.</p>

			<p>The Council has submitted its three level functional-based BCS (appendix 5). It is still to be rolled out across the Council and Licensing Board and the RMP states how this will take place. The Council manages records in paper format (stored in various locations), on line-of-business systems, shared drives and on an Electronic Document Management System (EDMS). Paper records and those held on line-of-business systems and the EDMS will be mapped to the BCS and the BCS will be imposed on the shared drives as a file plan.</p> <p>The Licensing Board's activities are listed in the BCS.</p> <p>The IT department of the Council is currently investigating the possibility of purchasing and Electronic Document and Records Management System (EDRMS). In the meantime work will be done to restructure shared drives in line with the BCS. Should the Council decide in the future to purchase and implement an EDRMS the work to impose the BCS structure on to the shared drives will aid this. The Keeper requests that he is kept informed of the Council's decision on whether to implement an EDRMS as this will alter the content of the RMP.</p> <p>The RMP states that work is currently underway on improving the shared drives and that this is being done by the IMGG and the RMWG. The Terms of Reference for the IMGG have been submitted (appendix 6) showing the remit and membership of the Group. The minutes of the meeting of the Group on 3 September 2015 have been submitted as appendix 7, showing the range of topics covered, which include the BCS and the RMP.</p> <p>The Terms of Reference of the RMWG have also been provided (appendix 8) detailing the remit and membership of this Group, which is chaired by the Records Manager (see Element 2). The minutes of the meeting on 1 December 2015 have also been supplied (appendix 9) showing that the Group is operational.</p>
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			<p>Once the process of developing the BCS is complete the Council intends to combine this with the retention schedule and will incorporate further information into this combined document, including information on vital records, access rights and responsible services. The Keeper commends this approach as creating a useful business tool and a central point of reference for staff.</p> <p>The RMP also states that where a function of the Council is contracted out to a third party, this will be noted in the BCS. The third party will be able to use the structure set out in the Council’s BCS with the assistance of the Records Manager.</p> <p>The RMP also contains a detailed timescale to achieve the above, with completion of the roll-out anticipated to be completed by July 2019. The Keeper requests that he is kept informed of the progress of this project.</p> <p>The Keeper can agree this Element on an ‘Improvement Model’ basis. This means that the authority has identified a gap in provision (a BCS that requires to be implemented across the Council) and has identified how it intends to close this gap and the timescales involved. As part of this agreement the Keeper requests that he is kept informed as work to close the gap progresses.</p>
5. Retention schedule	G	G	<p>The Council has submitted its Records Retention Schedule (appendix 10). This is a three level functional-based schedule based on the Scottish Council on Archives Records Retention Schedule (SCARRS). The Keeper acknowledges the SCARRS tool to be entirely appropriate for the development of a retention schedule. The minutes of the Council meeting held on 25 February 2016 (available on Council’s website) approve the RMP, the BCS and delegate the approval of retention schedules to Directors or Heads of Service.</p> <p>The schedule describes the trigger for action, the retention period, disposal action, authority for that decision and the Service Area responsible for those records. The</p>

			<p>schedule also includes the records created by the Licensing Board.</p> <p>The RMP states that the retention schedule is available to staff through the Council’s intranet. The Council has supplied a link to the Records Management section of its website which contains its Records Management Plan, Records Management Policy and Corporate Records Retention Schedule. The Keeper is reassured that this provides staff with access to the Schedule and are therefore aware of and able to comply with its provisions.</p> <p>The Keeper agrees that the Council has an operational retention schedule that details the retention periods and actions that are in place to allow the Council to appropriately dispose of records when required.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p>A</p>	<p>G</p>	<p>The RMP sets out the Council’s destruction arrangements. These are as follows:</p> <p>Paper</p> <p>The Council has submitted its Document Disposal Guidelines (appendix 12) which details the procedures in place for the secure destruction of paper records. The Guidelines state that the procedures described within it do not apply to electronic records. Each service area’s representative on the RMWG is responsible for ensuring the secure destruction of paper records.</p> <p>The Guidelines outline that records must be disposed of in line with the retention schedules and that the destruction of records must be recorded on the Destruction Certificate appended to the document. A copy of this must be sent to the Records Manager. A sample certificate has been supplied as evidence (appendix 13). Records are either shredded in-house or placed into confidential waste sacks and stored in secure areas until uplifted and destroyed by the appointed contractor, Paper Shredding Services Ltd. A copy of the letter awarding the contract to the contractor has been provided (appendix 14).</p>

			<p><u>Electronic</u> The RMP states that the Records Manager is currently working with service areas and IT to develop processes and procedures for the destruction of electronic records managed on some line-of-business systems. Some systems do not have the functionality to allow the systematic deletion of records in line with the retention schedule. The Keeper welcomes the commitment to develop a methodology to impose control on these systems and requests that he is kept up-to-date on progress.</p> <p>The Council has supplied its Document Disposal Guidelines Document (version 2.1). This will be approved by the Records Management Working Group in August 2016 and accordingly, the Keeper requests a copy of the approved version when available in order to keep the submission up to date. The Guidelines state that the disposal of electronic records will be managed similar to paper records in accordance with the Retention Schedule. Specifically, the destruction of electronic records held on shared drives is undertaken annually by staff who are responsible for those records. A destruction certificate (appended to the Guidelines) is used to document the destruction of records.</p> <p><u>Hardware</u> The RMP states that it has a contract in place with Restructa for the secure destruction of obsolete hardware and any information that may still be stored on these. Hardware is stored securely on Council premises until it is collected and destroyed by the contractor. A sample certificate of destruction has been supplied as evidence that the procedures for the secure destruction of hardware are operational.</p> <p><u>Back-ups</u> The Council, quite rightly, maintains a back-up of its electronic records and systems for business continuity purposes and has described the procedures that are in</p>
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			<p>place. Tapes are used for daily back-ups which are kept for a week, weekly back-ups which are kept for four weeks, and monthly back-ups which are retained for 3 months. Tapes are overwritten at the end of the retention periods and destroyed using the destruction processes described for hardware. The Storage Area Network (SAN) takes a daily snapshot which is kept for two weeks and a weekly snapshot which is kept for 26 weeks. These snapshots are then deleted. A screenshot of the back-up schedule which is built in to the operating system has been provided (Appendix E6). The response also states that the back-up schedules will be added to the Corporate Retention Schedule. The Keeper commends the addition of these to the Council's retention schedule.</p> <p>The Keeper can agree this Element on an 'Improvement Model' basis. This means that the authority has identified a gap in provision (the deletion of records from some line of business systems) and has evidenced a commitment to closing this gap. This agreement is dependent upon the Keeper being kept informed of progress as work to close the gap moves forward.</p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p>G</p>	<p>A</p>	<p>The Council transfers records selected for permanent preservation to the Heritage Centre within Paisley Central Library. The Library is run by Renfrewshire Leisure Ltd, a trust established by the Council to provide sport, leisure and culture to the people of Renfrewshire. The relationship between the Council and the trust is determined by a Collections Agreement (appendix 16) which covers issues such as copyright, Data Protection and Freedom of Information. The Schedules to the Agreement highlight the trust's obligations to the collections it is responsible for.</p> <p>The RMP states that the Heritage Centre provides appropriate storage and access facilities to records held there. The Heritage Officer, who oversees the Heritage Centre, is a member of the RMWG. This is confirmed in the Terms of Reference for the RMWG (appendix 8).</p>

	G	G	<p>The Records Management Policy (appendix 4) states a commitment to ensuring that records of historical value are transferred to archive in accordance with the requirements of the retention schedule (appendix 10). The RMP states that records are transferred to the Heritage Centre using Council staff and transport.</p> <p>The Action Plan section of this Element commits the Council to developing more detailed guidance on the selection and transfer of records to the Archive, which will allow the Council to put in place more robust transfer arrangements across the organisation. The Keeper would appreciate sight of this once it has been completed and approved.</p> <p>The Council has provided evidence showing that the transfer process is operational. A screenshot of the holdings of Paisley Library (Appendix E7) has been submitted showing that the minutes of the Council have been transferred to the archive. Also submitted is a screenshot showing that Council records are searchable on the Library catalogue (Appendix E7). The also indicates that the transfer arrangements across the Council will be made more robust through the development of guidance relating to the selection and transfer of archival records.</p> <p>The Keeper can agree this Element on an ‘Improvement Model’ basis. This means that the authority has identified a gap in provision (a Council-wide system of transferring appropriate records to the archive) and has identified how it intends to close this gap. The Keeper, as a condition of this agreement, requests that he is kept informed of progress in this area.</p>
8. Information Security <i>Compulsory element</i>	G	G	<p>The Council has submitted its Information Security Policy (appendix 17). This describes the Council’s commitment to protecting the information it receives and creates, how it intends to do this and who is responsible for ensuring this. Section 7.1 of the Policy states that it applies to records in all formats.</p> <p>The Policy forms an integral part of the Council’s Information Governance Strategy</p>

			<p>and Framework (appendix 33). This details the information governance arrangements that are in place.</p> <p>The RMP states that it is mandatory for all staff to complete an iLearn module on information security and must also read the ICT Acceptable Use Policy before being permitted to gain access to Council systems. A screenshot of the information security e-learning module has been supplied (appendix 22). The Council has also submitted its ICT Acceptable Use Policy (appendix 24). This contains an Appendix which requires third parties and contractors to comply with the Policy while accessing the Council's systems.</p> <p>The Council's Information Governance Development Officer delivers a Council-wide information security training on a monthly basis. The Information Governance Team and the SIRO also distribute messages and issues relating to information security. The Council has submitted a sample of the information security training which is delivered to staff (Appendix E8), which details the practical steps that staff should be taking to help protect information.</p> <p>The RMP also states that the Council has a specific Information Security Group which is chaired by the Chief Auditor. The Group operates as a sub-group of the IMGG and has a standing agenda item at IMGG meetings. The Terms of Reference for the Information Security Group have been supplied as evidence (appendix 18).</p> <p>The Council has also run a 'Think Twice' campaign since 2014 which encourages staff to take responsibility for their actions when handling personal information. The Council has submitted an example of the communications issued to staff to remind them of their responsibilities with regards to the information they use (Appendix E8). The Keeper commends this as an excellent way to raise the profile of information security within the organisation.</p>
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	G	G	<p>The Council has also submitted its Clear Desk Guidelines for staff (appendix 19).</p> <p>The Information Governance Team works closely with the Council’s Communications team and on an annual basis run an Information Governance Awareness Week. The timetable for the events planned for the Awareness Week in 2015 has been submitted as evidence (appendix 23). This outlines the different areas that were highlighted daily during the Week, including topics on Freedom of Information, records management and the Clear Desk procedures. The Keeper commends this method raising awareness of information governance issues across the Council.</p> <p>The Council has also achieved Public Services Network (PSN) and Payment Card Industry Data Security Standard (PCI) Accreditation. The PSN and PCI Accreditation Certificates have been submitted as evidence (appendices 20 and 21).</p> <p>The RMP specifically states that its information security measures also apply to the Licensing Board.</p> <p>The Keeper agrees that there are robust procedures in place to protect the information created and managed by the Council and that there is a strong commitment to ensuring staff are appropriately trained and are aware of their responsibilities.</p>
9. Data Protection	G	G	<p>Both the Council (registration number Z7198739) and the Licensing Board (registration number Z7256791) are registered as Data Controllers with the Information Commissioner’s Office.</p> <p>The Council has submitted its Data Protection Policy (appendix 26). This outlines the Council’s commitment to complying with the Data Protection Act 1998 and describes how it intends to do this. This is supported by a set of Data Protection Guidelines (appendix 27).</p>

			<p>The Council has a Data Protection Working Group (DPWG) which contains representatives from each service area and is chaired by the Records Manager (see Element 2). These are responsible for each service's compliance with the Act and for responding to Subject Access Requests for records held by that area. The DPWG also reports to the IMGG. Data Protection forms a key part of the Information Governance Strategy and Framework (appendix 33).</p> <p>The RMP states that all staff are required to complete a mandatory online training module and annual refresher training thereafter. More in-depth bespoke training is provided to the departmental representatives in each service area. A screenshot showing the online Data Protection training has been supplied as appendix 35.</p> <p>The annual Information Governance Awareness Week is also used to raise awareness of Data Protection issues</p> <p>The Data Protection page on the Council's website outlines the rights that people have to the information held by the Council. It also contains information on how they can access that information and a form for submitting a Subject Access Request which has also been submitted as evidence (appendix 29). A Subject Access Request Guidelines document (appendix 30) has been submitted showing how staff should be able to identify and deal with a request for personal data. Specific guidelines have also been developed for Social Work records (appendix 31).</p> <p>The Council's website also contains its Information Promise, which was developed in collaboration with the Information Commissioner's Office. This highlights the Council's to achieving best practice in Data Protection.</p> <p>Where the Council employs a third party to process data on its behalf it uses a Data Processor Agreement template (appendix 32). This sets out the obligations that a</p>
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			<p>data processor has whilst it has custody of the data being processed.</p> <p>Also submitted as evidence is the Council’s Information Governance Learning and Development Strategy, version 3.0, approved in March 2016 (appendix 34) which highlights the Council’s commitment to ensuring that staff are provided with suitable training.</p> <p>The Council also underwent a voluntary audit by the Information Commissioner’s Office in 2012/13. The Council has submitted the Executive Summary of the Information Commissioner’s Office’s Follow-up Report (evidence 25) which show’s a ‘High’ level of assurance.</p> <p>The Keeper agrees that the Council has robust procedures in place to protect the personal and sensitive information it creates and manages and shows a strong commitment to ensuring staff are aware of their responsibilities.</p>
<p>10. Business Continuity and Vital Records</p>	<p>G</p>	<p>G</p>	<p>The Council’s Civil Contingency Service is responsible for the creation and maintenance of its Business Continuity Plan (BCP) (appendix 36). The Council has a three level approach to disaster planning, with an overall Council-wide BCP which is then supported by the BCPs of each Director’s service area. A template for a service level BCP has been submitted (appendix 37) and a sample service BCP has been provided for Finance and Resources (appendix 41) which shows the specific actions to be taken in the event of an interruption to service. These are in turn supported by each service area’s restoration plan (appendix 40) which details the Council’s critical functions and the resources required to restore these within different timescales depending on their level of criticality. A sample for the ICT service has been provided (appendix 42).</p> <p>The restoration plan is based on a Business Impact Analysis template (appendix 37) which is used to identify Vital Records and business critical information systems.</p>

			<p>The Civil Contingency Service is overseen by the Corporate Resiliency Group which is chaired by the Director of Community Resources and consists of representatives from each service area. Vital Records have been identified and form part of the Business Continuity planning process. The Council has committed to ensure this list is accurate and up-to-date. One of the Action Plans under this Element is that the Records Manager aims to raise awareness of Vital Records within this Group and over the longer-term intends to include Vital Records in the Council's BCS. The Keeper requests that he is kept informed of the progress of this work.</p> <p>The Keeper agrees that the Council has Business Continuity procedures in place which will allow it to resume its business in the event of a disaster and that vital records have been identified.</p>
11. Audit trail	A	G	<p>The RMP states that it manages records in a variety of ways depending on whether they are paper records, electronic records held on line of business systems or electronic records held on shared drives.</p> <p>Hard copy records which are operational are held in offices or on-site storerooms. The movement of paper records from areas within the Social Work and the Legal and Democratic departments is tracked using a check-out/in system. The Council has supplied screenshots showing the systems in place (Appendices E11). One is a sample of the database used by Legal Services to track title deeds and the other is one showing the tracker used by Children's Services.</p> <p>The project to implement the BCS across the Council will also be used to identify the level of provision in place across the different service areas and, if necessary, implement systems for the tracking of paper records. The Keeper would be interested to know the results of this project.</p> <p>The Corporate Records Store uses a similar system for tracking the movement of boxes in and out. A template of the forms for transferring records to and removing</p>

			<p>records from the Records Store has been submitted (appendix 43). A sample section of the database used to co-ordinate the movement of records has also been provided (appendix 44).</p> <p>The RMP states that some of the electronic line of business systems in use within the Council have audit trail functionality built in. A sample of the audit trail for the Information@work corporate EDMS system has been provided (appendix 45). The Council, as part of its Action Plan, intends to baseline the functionality for these systems and will undertake this alongside establishing the disposal capabilities of these systems. This work is anticipated to be completed by December 2016. The Keeper again would like to be kept informed of the results.</p> <p>The RMP states that the unstructured records held on the Council’s shared drives are not subject to any audit trail systems or to any Version Control procedures. The work on the BCS will address this. According to the Action Plan section of this Element, guidance for staff will be developed and available to staff on the Council’s intranet and the Records Management iLearn module. The Keeper would appreciate sight of this guidance and training material when available.</p> <p>The Keeper can agree this Element on an ‘Improvement Model’ basis. This means that the authority has identified a gap in provision (lack of audit trail for some electronic line of business systems and records stored on shared drives) and has identified how it intends to improve the levels of provision. As part of this agreement, the Keeper will need to be kept informed of progress.</p>
<p>12. Competency Framework for records management</p>	<p>G</p>	<p>G</p>	<p>The Job Description of the Records Manager (appendix 3) clearly states his responsibility for records management within the Council as well as for Data Protection and Freedom of Information. The Records Management Policy (appendix 4) also describes the responsibilities of all staff across the Council.</p>

<p>staff</p>			<p>All staff are required to complete mandatory online training on Information Security and Data Protection (appendices 22 and 35). A specific learning module on Records Management is currently being developed. The Keeper commends this approach to raising awareness about records management and would be interested to see a sample of this training when it becomes available. Information Governance guidance and policies are provided on a specific area on the Council's Intranet. The Council has submitted screenshots of the Information Governance area of the intranet (Appendices E12) which shows the range of policies and guidance which is available to staff.</p> <p>Representatives from each service area who are members of the RMWG are also available to provide records management advice to staff in their areas.</p> <p>The Information Governance Learning and Development Strategy (appendix 34) also evidences a strong commitment to ensuring staff receive appropriate training in information governance issues.</p> <p>The Keeper agrees that the appropriate staff have records management recognised as one of their responsibilities and that staff receive suitable training where required.</p>
<p>13. Assessment and Review</p>	<p>A</p>	<p>G</p>	<p>The RMP states that the RMP and the associated evidence documents are subject to the same standard governance and review processes as other Council policies and initiatives.</p> <p>The Chief Auditor, who chairs the Information Security Group, is currently considering the inclusion of the RMP into the programme of work carried out by internal auditors. This is confirmed in a letter from the Chief Auditor to the Keeper (appendix 46). The Keeper commends the use of auditors in measuring compliance with an authority's records management provisions.</p> <p>In addition to the use of internal auditors, compliance with the RMP will be assessed</p>

			<p>by representatives of the RMWG in their local service areas. The Terms of Reference of the Group (appendix 8) show that assessing and reviewing the RMP forms part of their responsibilities.</p> <p>The Council is currently developing a review and assessment protocol which will provide a framework for ensuring that the RMP is up-to-date. The Keeper requests that he is sent the assessment methodology once it has been developed and approved.</p> <p>The RMP states that compliance with the Public Records (Scotland) Act 2011 is included in the Council's Risk Register. A mid-year progress report was submitted to the Finance and Resources Policy Board.</p> <p>The Records Manager will also submit, on behalf of the Director of Finance and Resources, an annual report to the Council's Audit, Scrutiny and Petitions Board. The Council also recognises that the RMP remains a live document which will form the basis for records management improvements over the coming years and the individuals identified in Element 1 will have delegated authority to approve changes to the RMP.</p> <p>The Keeper can agree this Element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the methodology for carrying out regular reviews of the RMP) and has evidenced a commitment to closing this gap. This agreement is conditional on being provided with the assessment methodology once it has been developed and implemented.</p>
14. Shared Information	G	G	<p>The Council shares information only where it is fair and lawful to do so and when it is appropriate. Individuals are informed on how their information will be used or shared via privacy notices on the Council's website (a link has been provided showing where this sits) and elsewhere. A sample privacy notice has been submitted (appendix 28).</p>

			<p>The Council has a Data Sharing Code (appendix 47) which is based on the Information Commissioner’s Data Sharing Code of Practice. The Code explains the different types of information sharing that the Council might enter into, when data can be shared and the importance of complying with the Data Protection Act 1998 when sharing information. The Code also contains a number of appendices which provide useful guidance for staff when they are required to either collect or share information.</p> <p>The Council has also submitted a template Information Sharing Protocol (appendix 48) which sets out the governance requirements of information that is shared. The Council maintains a central repository of information sharing agreements and also Data Processing Agreements into which it has entered.</p> <p>The Keeper agrees that the Council has considered information governance issues when it is required to share information.</p>
15. Freedom of Information			<p>The RMP acknowledges that along with Data Protection and the Public Records (Scotland) Act 2011, the Freedom of Information (Scotland) Act 2002 (FOISA) is a key strand of information governance within the Council. Best practice records management allows the Council to be better able to comply with these pieces of legislation.</p> <p>The Records Manager (see Element 2) is responsible for overseeing information requests, but each service area is responsible for complying with FOISA. To this end each service area has a departmental FOI officer for dealing with requests for information to that area. The Records Manager is also responsible for renewing the Council and Licensing Board’s Publication Schemes and for reviewing the Freedom of Information Policy and Manual.</p> <p>The Council has submitted its FOI Policy (appendix 49) which details the importance</p>

			<p>of compliance with FOISA and who is responsible for achieving this. The Council also has a Freedom of Information Working Group, which is a sub-group of the IMGG.</p> <p>The Council has also produced a Freedom of Information Guidance Manual (appendix 50). This is a detailed practical guide for staff which describes how to recognise a request for information, exemptions under FOISA and the Publication Scheme and other topics. The Council has supplied a screenshot (Appendix E15) showing the location of the Guidance Manual on its intranet.</p> <p>The Council also has a Freedom of Information page on their website which describes how their stakeholders can access Council information. It also contains the Council’s Publication Scheme. The Licensing Board’s Publication Scheme is also available on the website.</p> <p>The Keeper agrees that the Council is aware of its responsibilities under FOISA and staff are able to access guidance when required.</p>
16. Contracts			<p>The Council and Licensing Board both recognise the importance of managing records created by third parties when carrying out a function of one or both of the authorities.</p> <p>Renfrewshire Leisure Ltd is a trust established by the Council to provide sport, leisure and culture to the people of Renfrewshire. This is a third party which was established to carry out one of the Council’s functions. Provided as evidence is a letter from the Chief Executive of Renfrewshire Leisure Ltd (appendix 51) which recognises the importance of records management and the need to comply with PRSA and the Council’s RMP.</p> <p>The Information Governance Team is consulted during the procurement process on matters relating to data protection, information security and information sharing. The</p>

			<p>Council also intends to use the template Records Management Clauses for Contractors developed by the Scottish Council on Archives in the process for inviting tenders and entering into contracts with third parties. The Action Plan section of this Element states that the inclusion of these template clauses into the procurement documentation would take place by May 2016 which is when the RMP is under assessment. The Keeper would be interested to know whether this has taken place and whether he could see a sample of this.</p> <p>The Keeper agrees that the Council has considered the responsibilities of third parties to manage records created whilst carrying out any functions of the authority.</p>
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6. Keeper's Summary

Elements 1-16 that the Keeper considers should be in a public authority records management plan have been properly considered by Renfrewshire Council and Licensing Board. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by Renfrewshire Council and Licensing Board are as follows:

Element 4 - The Keeper can agree this Element on an 'Improvement Model' basis. This means that the authority has identified a gap in provision (a BCS that requires to be implemented across the Council) and has identified how it intends to close this gap and the timescales involved. As part of this agreement the Keeper requests that he is kept informed as work to close the gap progresses.

Element 6 - The Keeper can agree this Element on an 'Improvement Model' basis. This means that the authority has identified a gap in provision (the deletion of records from line of business systems) and has evidenced a commitment to

closing this gap. This agreement is dependent upon the Keeper being kept informed of progress as work to close the gap moves forward.

Element 7 - The Keeper can agree this Element on an 'Improvement Model' basis. This means that the authority has identified a gap in provision (a Council-wide system of transferring appropriate records to the archive) and has identified how it intends to close this gap. The Keeper, as a condition of this agreement, requests that he is kept informed of progress in this area.

Element 11 - The Keeper can agree this Element on an 'Improvement Model' basis. This means that the authority has identified a gap in provision (lack of audit trail for some electronic line of business systems and records stored on shared drives) and has identified how it intends to improve the levels of provision. As part of this agreement, the Keeper will need to be kept informed of progress.

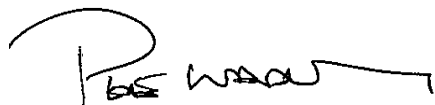
Element 13 - The Keeper can agree this Element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the methodology for carrying out regular reviews of the RMP) and has evidenced a commitment to closing this gap. This agreement is conditional on being provided with the assessment methodology once it has been developed and implemented.

7. Keeper's Determination

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

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

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



.....
Pete Wadley
Public Records Officer



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Robert Fotheringham
Public Records Officer

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

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



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Tim Ellis
Keeper of the Records of Scotland