

# Records Management Policy

May 2020

## 1. Introduction

1.1 National Records of Scotland (NRS) is a non-ministerial office of the Scottish Government. We were established on 1 April 2011, following the merger of the General Register Office for Scotland (GROS) and the National Archives of Scotland (NAS).

1.2 The key functions of the organisation are:

1.2.1 **Preserving the Past** – through the preservation of record collections in our care in order to make them available for current and future generations. NRS also advises other bodies on the care and management of records, and maintains the National Register of Archives for Scotland, which keeps track of archives in private hands.

1.2.2 **Recording the Present** – through the management, operation and delivery of Scotland's Census as well as the registration of births, deaths, stillbirths, marriages and civil partnerships. NRS maintains a national register of divorces, a national register of adoptions, the Scottish Register of Tartans and the National Health Service Central Register.

1.2.3 **Informing the Future** – through the collection, analysis and publication of official demographic statistics, drawn from the Census and other sources, to inform government policy. NRS also provides onsite and online facilities for people researching all aspects of Scottish life, and is responsible for identifying records from public bodies and selected private organisations which are of ongoing historical value and are to be transferred to NRS for permanent preservation.

1.3 We recognise that the effective management of our records, regardless of format, is essential in order to support these core functions, to comply with legal, statutory and regulatory obligations, and to demonstrate transparency and accountability to all its stakeholders. Records are a vital information asset and a valuable resource for the organisation's decision-making processes, policy creation and operations, and must be managed effectively from the point of their creation until their ultimate disposal.

## 2. Purpose and Scope

2.1 The purpose of this policy is to demonstrate the importance of managing records effectively within the organisation, to outline key aims and objectives for NRS in relation to our recordkeeping, and to act as a mandate for the

support and delivery of records management policies, procedures and initiatives across the organisation.

- 2.2 This policy relates to all teams and business areas of NRS and all records created by our employees. It relates to the management of records as an internal, facilitative function of the organisation and covers the records created by the organisation, about its activities. It does not relate to the management of historical records and archive collections that have been transferred to, or purchased by, NRS, for permanent preservation (including NRS's own records, once accessioned as archives).
- 2.3 The policy relates to all staff, including those who are mobile working, working off site and working within joint partnerships, including permanent and temporary employees, volunteers, contractors and those on secondment or work experience placements. It applies to all records regardless of format or medium, including paper, electronic, audio, visual, microform and photographic.
- 2.4 NRS complies with statutory and regulatory recordkeeping obligations including the Public Records (Scotland) Act 2011, the Freedom of Information (Scotland) Act 2002 (FOISA), the UK Freedom of Information Act 2000 (FOIA), the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679), and the Data Protection Act 2018 (DPA); and the promotion of openness, transparency, accountability and improved corporate governance, commensurate with the organisation's role as the national recordkeeping body.
- 2.5 The Public Records (Scotland) Act 2011 places an obligation on named authorities in Scotland to produce a records management plan which sets out their arrangements for the effective management of all records. The offices of Keeper of the Records of Scotland and Registrar General for Scotland are named as authorities in the schedule of the Act. A joint records management plan for the Keeper and Registrar General was submitted in April 2013 and agreed by the Keeper in June 2013. The plan was assessed under the Progress Update Review mechanism in July 2017 and will be submitted again for full re-assessment in May 2020. The creation of a records management policy statement is a mandatory element of this plan, and is necessary in order to identify the procedures to be followed in managing the organisation's public records.

### **3. What is Records Management?**

- 3.1 Records management can be defined as the process whereby an organisation manages its records, whether created internally or externally and in any format or media type, from their creation or receipt, through to their destruction or permanent preservation.
- 3.2 Records management is about placing controls around each stage of a record's lifecycle, at the point of creation (through the application of metadata<sup>1</sup>, version control and naming conventions), during maintenance and use (through the management of security and access classifications, facilities for access and tracking of records), at regular review intervals (through the application of retention and disposal criteria), and ultimate disposal (whether this be recycling, confidential destruction or transfer to the archive branch for permanent preservation). By placing such controls around the lifecycle of a record, we can ensure they demonstrate the key attributes of authenticity, reliability, integrity and accessibility, both now and in the future.
- 3.3 Through the effective management of the organisation's records, NRS can provide a comprehensive and accurate account of its activities and transactions. This may be achieved through the management of effective metadata as well as the maintenance of comprehensive audit trail data.
- 3.4 We retain records that provide evidence of our functions, activities and transactions, for:
- **Operational Use** – to serve the purpose for which they were originally created, to support our decision-making processes, to allow us to look back at decisions made previously and to learn from previous successes and failure, and to protect the organisation's assets and rights.
  - **Internal and External Accountability** – to demonstrate transparency and accountability for all actions, to provide evidence of legislative, regulatory and statutory compliance and to demonstrate that all business is conducted in line with best practice.
  - **Historical and Cultural Value** – to protect and make available the corporate memory of the organisation to all stakeholders and for future generations.

#### 4. Why is Records Management Important?

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<sup>1</sup> Metadata can be defined in very general terms as 'data about data' and is necessary in order to understand the context, purpose, extent and location of a record. Examples of metadata can include information relating to a record's creator, creation date, receipt date, editor, access history and disposal.

- 4.1 Information and records are a valuable corporate asset without which we would be unable to carry out our functions, activities and transactions, meet the needs of our stakeholders, and ensure legislative compliance.
- 4.2 The benefits of implementing records management systems and processes include:
- Improved information sharing and the provision of quick and easy access to the right information at the right time;
  - The support and facilitation of more efficient service delivery;
  - Improved business efficiency through reduced time spent searching for information;
  - Demonstration of transparency and accountability for all actions;
  - The maintenance of the corporate memory;
  - The creation of better working environments and identification of opportunities for office rationalisation and increased mobile working;
  - Risk management in terms of ensuring and demonstrating compliance with all legal, regulatory and statutory obligations;
  - The meeting of stakeholder expectations through the provision of good quality services.

## **5. Policy Statement and Commitment**

- 5.1 It is the policy of NRS to maintain authentic, reliable and useable records, which are capable of supporting business functions and activities for as long as they are required. NRS is therefore committed to the operation and continuous improvement of effective records management policies and procedures. Our records management programme includes:
- The operation and active use by all staff of an electronic document and records management system (EDRMS) which delivers an efficient tool for digital document management by business users, along with the audit trail mechanisms that enable the capture and management of key events in a record's lifecycle (e.g. creation, access, editing, destruction or preservation).
  - The consolidation, review and disposal of information held in legacy systems following the recommended retention periods set out in the NRS retention and disposal schedule, in line with business need and legislative, statutory and regulatory requirements.
  - The regular review of destruction arrangements to ensure that correct procedures for the disposal of business information are followed.

- The application and further development of detailed archive transfer arrangements in order to provide advice and guidance on how to securely transfer records to the archive, define the appropriate access status for various records, and identify any relevant exemptions under FOISA and FOIA.
- The review and audit of information security policies and procedures in order to protect records and systems from unauthorised access, use, disclosure, disruption, modification, or destruction.
- The review and audit of data protection policies in order to demonstrate NRS' commitment to compliance with the GDPR and DPA, and the fair, lawful and transparent processing of all personal data we collect and store.
- The maintenance, ongoing review, and regular audit of an Information Asset Register, and related records of processing activities demonstrating compliance with the GDPR.
- The review and ongoing development of NRS business continuity planning, encompassing strategies to ensure that vital records held by NRS remain accessible over time and that there are processes in place to monitor the integrity, security and usability of records.
- The identification of records management as a distinct stream within the organisation's training portfolio, with dedicated training provided to all staff.
- The completion of self-assessment reviews to ensure that the records management practices remain fit for purpose and continue to act as exemplars within the profession in Scotland.

## **6. Roles and Responsibilities**

- 6.1 All staff have a responsibility to manage records effectively, through the documentation of all decisions and actions made by NRS; the effective maintenance of records throughout their lifecycle, including access, tracking and storage of records; the timely review of records and their ultimate disposal, whether this be transfer to archive for permanent preservation, or confidential destruction or recycling.
- 6.2 The lead responsible officer for records management in NRS is the Director of Information and Records Services. With the support of the Head of Information Governance they have responsibility for ensuring compliance with this records management policy.
- 6.3 All business area and team leads are responsible for approving a corporate approach to the management of records as defined within this policy, promoting a culture of excellent recordkeeping principles and practices in order to improve business efficiency, supporting records management through commitment and the provision of resources and recognising the importance of preserving NRS's corporate memory.

- 6.4 All local representatives for records management within directorates are responsible for offering advice and guidance regarding records management to all staff within their branch, highlighting any records management issues or concerns to the Information Governance Team and transferring all records of historical value to Government Records Team for permanent preservation.
- 6.6 All NRS colleagues are responsible for suitably maintaining all records so that they can be easily retrieved, retaining all records in line with the retention and disposal schedule, ensuring that all actions and decisions are properly recorded and adhere to this policy.
- 6.7 The Head of Information Governance is responsible for ensuring that records management practices and procedures are established in line with all legal obligations and professional standards, issuing advice and guidance to all staff throughout NRS, establishing and liaising with branch representatives throughout NRS and meeting the aims and objectives as outlined in the records management strategy.

## **7. Legislative Framework**

7.1 The management of NRS's records is done in line with the following legislative, statutory and regulatory framework. Compliance with this policy will facilitate compliance with these acts, regulations and standards.

- Audit Commission Act 1998
- Census Act 1920
- Data Protection Act 2018
- Equality Act 2010
- The Environmental Information (Scotland) Regulations 2004
- Freedom of Information (Scotland) Act 2002
- Freedom of Information Act 2000
- General Data Protection Regulation (Regulation (EU) 2016/679)
- Health and Safety at Work etc. Act 1974
- Human Rights Act 1998
- Local Electoral Administration and Registration Services (Scotland) Act 2006
- Management of Health and Safety at Work Regulations 1999
- National Heritage (Scotland) Act 1985
- Population (Statistics) Act 1960
- Prescription and Limitation Act 1973
- Public Records Act 1967
- Public Records (Scotland) Act 1937

- Public Records (Scotland) Act 2011
- Public Registers and Records (Scotland) Act 1948
- Registration of Births, Death and Marriages (Scotland) Act 1965
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- Re-use of Public Sector Information Regulations 2015
- Scottish Register of Tartans Act 2008
- Statistics and Registration Service Act 2007
- Taxes Management Act 1970
- UK Statistics Authority - Code of Practice for Official Statistics 2009
- Value Added Tax Act 1994

7.2 NRS also aims to operate in accordance with the following best practice standards for recordkeeping:

- BS 10008:2014 – Evidential weight and legal admissibility of electronic information
- BS 10009:2020 – Evidential weight and legal admissibility of electronically stored information
- BS ISO 27001: 2013 – Information Security
- BS ISO 15489-1: 2016 – Information and documentation – Records Management

## **8. Training**

8.1 Training is provided to all staff in order to highlight and increase awareness of their responsibilities in line with data protection, freedom of information and records management. Furthermore, core competencies and key knowledge and skills required by staff with operational responsibility for records management are clearly defined to ensure that they understand their roles and responsibilities, can offer expert advice and guidance, and can remain proactive in their management of recordkeeping issues and procedures within NRS.

## **9. Monitoring and Review**

9.1 Compliance with this Policy and related standards and guidance will be monitored by the Head of Information Governance in consultation with business area representatives and the Director of Information and Records Services. Regular reports on records management will be submitted to the Executive Management Board and updates will be disseminated to all colleagues via the corporate intranet and email network.

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- 9.2 This policy is subject to ongoing monitoring and annual review to ensure that it takes account of any new or changed legislation, regulations or business practices.