

OFFICIAL



Highland Council

Records Management Policy

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1. Document Control

1.1 Version History

Version	Date	Author	Change
V1	1997		Previous format that covered records management
V2	10/06/2009	Denis Torley	New Records Management Policy. Approved by Resources Committee
V3	09/10/2013	Philip Mallard, Alison Brown	1. Review and Restructuring 2. Addition of Document Control 3. Alignment with IM strategy and other IM Policy and updated to reflect changes in governance.
V3.1	25/02/2015	Philip Mallard, Trevor Nicol	Annual review of IM Policy Framework. Minor updates. Approved by Resources Committee
V4	23/11/2016	Philip Mallard Information & Records Manager	Approved by Resources Committee IM Policy Framework Annual Review
V4.1	17/03/2022	Miles Watters FOI & Data Protection Manager	IM Policy Framework Review Approved at Corporate Resources Committee 01/12/2022

1.2 Document Approval

Name	Role	Reason
	Corporate Resources Committee	Approval
	Information Governance Board (IGB)	Review and acceptance
Allan Gunn	Assistant Chief Executive - Corporate and Senior Information Risk Owner	Review and acceptance

1. Introduction

The Council's records are its corporate memory, supporting its core functions and providing evidence of actions and decisions. They are a vital corporate asset, enabling effective management and compliance with legal and regulatory obligations.

The Public Records (Scotland) Act 2011 and the Code of Practice on Records Management under Section 61 of the Freedom of Information (Scotland) Act 2002 both require the Council to have an effective records management policy in place. This must set out the legislative, regulatory and best practice framework within which we operate, and the way in which we aim to ensure our records remain accessible, authentic, reliable and useable through organisational or system change.

All records created and received by the Council in the course of its business are Council Information Assets owned by the Council and not by the individuals, teams, departments or services that create the records.

2. Definition of a Record

The international Records Management Standard ISO 15489-1:2016 defines a record as "Information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations, or in the transaction of business".

The Council recognises this as its definition of a record and that information includes all formats, whether paper or electronic e.g. hand written notes, letters, word documents, spreadsheets, scanned images, photographs, audio, video, emails, etc.

3. Purpose and Scope

The Records Management Policy outlines the Council's commitment to the proper management of its records throughout their lifecycle from their creation through to their disposal, and defines the relevant roles and responsibilities for record keeping.

It defines the principles we follow when developing the Council's records management processes and record keeping systems.

The Policy applies to any person with access to Council records or any Council Information Asset. This includes staff, contractors, Partners (such as High Life Highland), agency staff, Elected Members and those working on behalf of the Highland Council.

The Policy also applies to records created by, or on behalf of, a contractor carrying out the Council's functions.

4. Policy Statement

The Highland Council is committed to the creation of authentic, reliable and useable records and to their effective management throughout their lifecycle.

Records will accurately document the Council's activities and support both operational needs and compliance with statutory obligations.

4.1 Records Management Processes and Record Keeping Systems

The Council's records management processes and record keeping systems shall be developed in order to:

- deliver consistency in the management of records across the Council;
- ensure that accurate and complete records are created that provide accountability and meet legal and business needs;
- ensure records containing personal and other sensitive information are stored according to the appropriate risk assessment and can only be accessed by authorised personnel;
- ensure that records can be promptly and efficiently retrieved with a clear audit trail maintained;
- avoid the accumulation of ephemeral material;
- ensure records keeping systems comply with the Council's Business Continuity Plan by identifying and preserving its vital records;
- ensure the Council's Corporate Retention Schedules and Disposal Authority Policy processes are observed to ensure records are retained for the appropriate and agreed period of time;
- ensure records with long-term historical value are transferred to the custody of the Highland Archive Service for permanent preservation;
- ensure compliance with legal, audit and operational requirements affecting the retention of records, including the Public Records (Scotland) Act 2011, Data Protection legislation, Freedom of Information (Scotland) Act 2002 and Environmental Information (Scotland) Regulations 2004.

4.2 Principles of Good Records Management

The principles behind good record keeping require that:

- **Records are made** – Each service should have in place adequate

arrangements for documenting its activities. These arrangements should take into account the legislative and regulatory environments within which it operates.

- **Records are accurate** – Records created are a correct reflection of what was done, communicated or decided.
- **Records are authentic** - An authentic record can be proven:
 - to be what it claims to be
 - to have been created or sent by the person claimed to have created or sent it
 - to have been created or sent at the time claimed

In order to ensure authenticity, records must be captured into a formal record keeping system which fits within the Corporate File Plan (filing structure) and includes the necessary metadata (i.e. data about data – a description).

- **Records are reliable** - A reliable record can be trusted as a full and accurate representation of the events, facts or activities to which it refers. Full records should be created at the time of, or as soon as possible after, the transaction or incident by individuals who have direct knowledge of the facts. Incomplete records can lead to decisions being made based on false assumptions and the evidential value is significantly diminished.
- **Records have integrity** – Records should be complete and unaltered. Any authorised annotation, addition or deletion should be explicitly indicated and traceable.
- **Records are usable** - A usable record can be located, retrieved, presented and interpreted. Records must still be usable even if the format the record is stored in is superseded or becomes obsolete. Electronic records should be migrated or transferred to new systems to insure against obsolescence.
- **Version control exists** – Where multiple versions of a record exist the current or official version should be identifiable.
- **Vital records are identified & protected** - Vital records are those which are crucial to the Council's business, without which the Council would be unable to function. These include records that, in the event of a disaster such as flood or fire would recreate the Council's legal and financial status, preserve its rights and ensure that it continued to fulfil its obligations to its stakeholders.

4.3 Corporate Information Asset Register

The Council's Corporate Information Asset Register is a key component of the Council's information architecture and an important part of effective records management. It defines the information that is held, provides details on the management of that information, and identifies Information Asset Owners and Information Asset Managers. This information is required to provide a single view of

the Council's information holdings and support development of the information architecture to meet the needs for the management of this information. It also provides information on the risk profile of the Information Assets, enabling prioritisation of resources to make information management improvements where this will deliver maximum value for the Council. A Council-wide Corporate Information Asset Register has been created and a process is in place for its maintenance.

An Information Asset is a collection of information, defined and managed as a single unit so it can be understood, shared, protected and exploited effectively. Information Assets have recognisable and manageable value, risk, content and lifecycles. Each ICT System and the information held within it is also considered to be an Information Asset.

The Corporate Information Asset Register provides Information Asset Owners with an overview of the information holdings that are within their scope of responsibility. Each Information Asset will contain records and it is the responsibility of the Information Asset Owner to ensure that there are appropriate records management processes and records keeping systems in place to manage those records. The approach taken to manage these records shall take account of the principles of good records management as set out in this policy.

Where there are weaknesses in records management processes or records keeping systems then these must be reviewed and plans put in place to address the weaknesses, taking into account the principles of good records management as set out in this policy.

4.4 Business Classification Scheme

A Business Classification Scheme creates structures for unstructured documents that have been identified as records, which can be used to create a corporate file plan or filing structure. A Highland Council Business Classification Scheme will be established which will take account of national standards and meet the requirements of the Public Records (Scotland) Act 2011.

Microsoft Office 365 will be used to support the use of the Business Classification scheme where possible.

4.5 Corporate Retention Schedules

The Corporate Retention Schedules are the mechanism to ensure the Council is maintaining necessary records for the appropriate length of time. The Corporate Retention Schedules are made available to staff through the Intranet and are governed by the Information Governance Board.

The periods of retention for each type of record; the tools to manage the process of declaring a record; and the disposal of it together; form an important part of the Council's Information Architecture.

The retention periods set out in the Corporate Retention Schedules must be adhered to by all Council Services.

5. Records Management Governance

5.1 Information Governance Board (IGB)

The IGB has been created to oversee the management of the Council's Information and Data Strategy and the implementation of this across the Council. The IGB is chaired by the Senior Information Risk Owner. The Corporate Management Team has identified IG Lead Officers from across the Council who will represent their functions on the Board.

The IGB is chaired by the Assistant Chief Executive – Corporate as the owner of the Council's information governance policies and strategies and as the Senior Information Risk Owner (SIRO) for the Council.

The primary role of the IGB is to identify priorities for the implementation of Information Governance improvements and strategic initiatives across the Council.

The IGB has a duty to consider and make recommendations to the Corporate Management Team and to the Council about information governance issues and influence strategy and policy development.

Where required, the IGB will appoint relevant staff to an Information Governance Working Group to work on specific tasks and make recommendations on its behalf.

6. Roles and responsibilities

This section sets out the general and specific responsibilities for Records Management.

6.1 All Staff and any person handling Council Information

Records Management is everybody's responsibility and is something that should be considered as part of normal everyday working practice. This includes staff, contractors, Partners (such as High Life Highland), agency staff, Elected Members and any person who handles Council Information Assets.

Staff and those handling Council information should understand the information that they create, receive and use. They should be able to identify information that is or may become a record. Records management processes that are in place must be followed and records keeping systems should be used in accordance with instructions and guidance provided by line management.

Any person handling Highland Council Information must ensure that the records for which they are responsible are accurate and are created, maintained and disposed

of in accordance with the Records Management Policy and the Corporate Retention Schedules.

All staff and those handling Council information must have completed the information management online learning module and any other relevant training that is required to use the records management systems and supporting ICT systems required in their role.

The Information Management Portal details the roles and responsibilities of staff who manage Council information. It provides specific and useful information on managing records, managing emails, working securely; and exploiting the use of SharePoint, OneDrive and MS Teams in order to carry this out effectively. Emphasis is placed on the importance of managing and protecting the information used in their work, particularly for those staff handling personal and sensitive information.

6.2 Managers and Supervisors

Managers are responsible for information held within their area (both paper and electronic). This includes ensuring that an up to date and maintained list of Information Assets is held and that this is entered into the Corporate Information Asset Register.

Managers and supervisors must ensure that staff have understood their obligations under this Policy (both general obligations and those that are specific to their role) and other information governance policies. Managers should support their staff in this regard by highlighting relevant parts of policies that apply to the roles being performed by a member of staff.

Managers and supervisors must ensure that all their staff have completed the information management online learning module and other relevant training.

6.3 Information Asset Owners & System Owners

An Information Asset Owner (IAO) is a senior manager (Head of Service, Strategic Lead or equivalent) who has been identified as being accountable for a Highland Council Information Asset. A System Owner is a person who has been identified as being accountable for a Highland Council ICT System. The Information Asset Owner is supported by an Information Asset Manager (IAM), who has responsibility for management of the information within that Information Asset.

IAO and System Owners must ensure that the management of their Information Asset is consistent with the Records Management Policy and the other information management policies. The day to day responsibility for effective management of an Information Asset lies with the IAM. The IAO must ensure their IAMs are aware of their responsibilities.

IAO and System Owners must ensure that the information recorded in relation to their Information Asset in the Information Asset Register is correct and up-to-date.

The Corporate Information Asset Register contains a risk assessment for each Information Asset. The IAO must ensure that each IAM regularly reviews this risk assessment, and the RAG (Red, Amber, Green risk status) that is allocated to it. If the risk profile of the Information Asset changes then the IAM is required to inform the IAO.

Role descriptions for IAO and IAM have been developed and approved by IGB. An online learning module has also been provided for Information Asset Owners and Information Asset Managers that provides further explanation on their role and this must be completed.

6.4 Information Governance Manager

The Information Governance Manager is responsible for ensuring all Highland Council records are held within appropriate records management systems and structures. They are supported in this by the Records Manager and Records Management Service.

The Records Manager provides a Records Management Service to the Council under a Service Delivery agreement between the Council and High Life Highland. This includes the provision of advice on records management, the management of the Council's Corporate Records Stores (including both paper records stores and the corporate digital repository) and maintaining the Council's Corporate Retention Schedules.

6.5 Information Governance Lead Officer

The IG Lead Officers are senior officers from across the Council that represent their function on the Information Governance Board (IGB) and provide strategic lead for information governance issues (including records management) within each Service Cluster.

This includes a requirement to liaise directly with the Records Manager and the Information Governance Manager or to nominate representatives as the first point of contact for records keeping matters.

The IG Lead Officer will be required to attend the regular IGB meetings, communicate and cascade information within their Service and ensure adoption of working practices that are consistent with Information Governance Policies and Guidance.

IG Lead Officers will be supported in their role through information and guidance provided through the Information Governance Board.

IG Lead Officers shall ensure that their Service contributes to the development of and complies with the Corporate Retention Schedule and Disposal Policy process.

6.6 Local Records Officers

The Local Records Officers (LROs) are appointed by Services to provide a link between the Service and Records Management. The LRO is the conduit through which all records requests, both transfers and retrievals, are channelled. The RM Service only fulfils records requests submitted by the relevant LRO for that area.

6.7 Internal Audit

The Highland Council's Internal Audit function includes responsibility for auditing the adequacy of the Council's Records Management Policy, procedures, internal records keeping systems, their implementation and Corporate and Service compliance with these.

7. Legal Obligations

7.1 Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 requires named public authorities in Scotland to prepare and implement a Records Management Plan (RMP). The plan must set out the proper arrangements for the management of the Council's records. Where authorities fail to meet their obligations under the Act, the Keeper has powers to undertake records management reviews and issue action notices for improvement. The Council RMP has been agreed with the Keeper.

The Council is committed to ensuring a high level of performance of its records management processes and systems and therefore to incorporating regular reviews and assessments of its Records Management Plan. Ensuring all records management systems support business needs and comply with regulatory and accountability requirements will require regular review. Monitoring of the review will be conducted through the IGB.

7.2 Data Protection Act 2018 and the UK General Data Protection Regulation

The Data Protection legislation regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information. It gives individuals a right of access to information held about them while protecting that information from third parties. The legislation requires information to be accurate, up to date, retained for no longer than is necessary and protected against unauthorised access, loss, destruction or damage. The Information Commissioner has the power to investigate breaches and complaints in relation to Data Protection and to impose fines for non-compliance.

The Data Protection Policy provides further information on the Council's policy in relation to Data Protection compliance.

7.3 Freedom of Information (Scotland) Act 2002

The Freedom of Information (Scotland) Act 2002 (FOISA) gives a general right of access to the information held by local authorities, giving the public the right to be told whether information exists and to receive that information (subject to certain exemptions) within twenty working days of making a request. Good records management will ensure that the Highland Council is able to comply with this legislation.

7.4 Environmental Information (Scotland) Regulations 2004

These Regulations give the public the right of access to information relating to the environment, which is held by local authorities. These requests can be made verbally, unlike requests made under FOISA which must be in writing. Good records management will ensure The Highland Council is able to comply with this legislation.

8. Related Policies

This policy is complementary to and should be read in conjunction with the following:

- Information and Data Strategy
- Information Management Policy
- Records Retention and Disposal Policy
- Information Security Policy
- Data Protection Policy
- ICT Acceptable Use Policy

9. Standards

The Council recognises the importance of using best practice and international standards in records management. It will therefore aim for compliance with the international standard for records management ISO 15489-1:2016 and the Code of Practice on Records Management issued under Section 61 of the Freedom of Information (Scotland) Act 2002.

10. Staff Communication & Training

This policy will be made available to staff through the Intranet and for others who are within the scope of the policy through the Highland Council website.

As part of the core training, staff and any person handling Council information are provided with an online learning module that provides an introduction to the expectations the Council places on those handling information. This includes the

records management as well as the information security and data protection issues of which all staff should be aware.

All staff must complete the information management online learning module and managers must ensure that this has been completed by their staff and is part of employee review and development.

Any other person handling Highland Council information must also complete this training and the relevant Information Asset Owners and Manager within the Council responsible for the contract must ensure this takes place.

Further online learning modules related to records management may be provided to staff and these must be completed where they are relevant to their role. Staff will be informed when they must complete these additional training modules. A specific online learning module has been provided and is mandatory for Information Asset Owners and Information Asset Managers.

11. Review

This policy will be reviewed on a regular basis and adapted appropriately to ensure that it continues to meet the business and service delivery requirements of the Highland Council.