

Records Management and Preservation of Archival Records Policy

2020



Falkirk Council

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Chief Executive's Statement

Records management is fundamental to the Council's efficiency and we believe that effective records management will bring substantial benefits to the Council. This can be achieved through greater business efficiency and improvements in the use of financial, human and other resources.

Effective records management ensures that all information:

- received or created is stored appropriately and is easily retrievable;
- is destroyed or preserved in accordance with the Council's Business Classification and Retention Schedule;
- meets current and future needs, and is capable of supporting change; and
- is accessible to users and that the appropriate technical, organisational and human resource elements exist to make this possible.

The introduction of the Public Records (Scotland) Act 2011 highlights the importance placed on records management within local authorities. It is our aim to ensure we implement an effective Records Management Plan to meet the requirements of the Act and support business functions and activities for as long as they are required. The Plan will be regularly assessed and reviewed to ensure its effectiveness in terms of records management throughout the Council.



26 June 2020

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CHIEF EXECUTIVE

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DATE

*This statement provides evidence for Element 3
of the Council's Records Management Plan.*

1. Background

- 1.1 The Public Records (Scotland) Act 2011 (the Act) specifies that local authorities must prepare a records management plan setting out proper arrangements for the management of the authority's public records and ensure that its public records are managed in accordance with the plan as approved by the Keeper of the Records of Scotland (the Keeper).
- 1.2 Falkirk Council recognises that its statutory obligations under the Act are extended by section 54 of the Local Government etc. (Scotland) Act 1994, to those records inherited from its predecessor authorities.
- 1.3 The Freedom of Information (Scotland) Act 2002 allows the public to have a general right of access to recorded information held by the Council and the Council must be in the position to respond to FOI requests for information. Falkirk Council aims to achieve best practice in records management through the Section 61 Code of Practice on records management by Scottish public authorities under the Freedom of Information (Scotland) Act 2002. The aims of this Code of Practice are:
- *to set out practices which relevant authorities should follow in relation to the creation, keeping, management and final disposal of their records; and*
 - *to describe the particular arrangements which apply to authorities which transfer their records to the National Records of Scotland or other public archives.*¹
- 1.4 Records management:
- allows us to recognise the information and records we hold;
 - allows the information and records to be easily accessed and retrieved;
 - assists the Council to meet business and legislative requirements;
 - supports the decision making process;
 - defines vital records (which are included in business continuity plans); and
 - realises financial savings through effective storage arrangements.
- 1.5 Falkirk Council will ensure corporate records management policy, procedures and guidance are utilised across all Services and divisions of the authority.

2. Purpose, Aim and Scope

- 2.1 The purpose of this document is to set out the Council's records management and archival of records policy.
- 2.2 The aim of this policy is to ensure effective management of all Council records as a source of information or evidence.

¹ The Scottish Government, S60 Code of Practice, <https://www.gov.scot/publications/code-of-practice-on-records-management/>

2.3 This policy covers all records created, received and managed by all employees, partners and third parties of:

- Falkirk Council;
- Falkirk Council Licensing Board; and
- Falkirk Community Trust.

3. Objectives

3.1 The key objectives of the policy are to:

- establish relevant legislation associated with records management;
- establish specific individual responsibilities in relation to records management within the Council;
- develop, promote and encourage a records management culture where Services recognise the value and benefits of effective records management; and
- develop a corporate approach to records management including adherence to relevant legislation, procedures and guidance that are acknowledged and adhered to by all Services of the Council.

4. Legislation

4.1 National legislation relevant to records management:

- Public Records (Scotland) Act 2011
- Local Government etc. (Scotland) Act 1994
- Freedom of Information (Scotland) Act 2002
- Data Protection Act 2018, General Data Protection Regulation (GDPR) and legislation relevant to that
- Environmental Information (Scotland) Regulations 2004
- Re-use of Public Sector Information Regulations 2015
- Local Government (Access to Information) Act 1985
- Human Rights Act 1998

5. Individual Responsibilities for Records Management

Senior Management Responsibility

5.1 The Chief Executive has senior management responsibility in respect of records management for Falkirk Council. The Clerk to Falkirk Council Licensing Board has senior management responsibility in respect of records management for the Board. The Chief Executive of Falkirk Community Trust has senior management responsibility in respect of records management for the Trust.

5.2 The Governance Division of Corporate and Housing Services has the lead role in respect of corporate records management issues for the Council.

Records Manager Responsibility

- 5.3 The Records Manager within the Governance Division of Corporate and Housing Services has professional oversight for records management issues within the Council. The Council is committed to ensuring relevant training is available to the Records Manager as part of a continued professional development programme and has developed a competency framework detailing the required skills for the Records Manager.

Corporate Records Team

- 5.4 The Corporate Records Team manages semi-current and non-current records on behalf of the Council, Falkirk Council Licensing Board and Falkirk Community Trust.
- 5.5 All Services of Falkirk Council, Falkirk Council Licensing Board, and Falkirk Community Trust, as agreed by Corporate Management Team, are required to utilise the services of the Corporate Records Team.
- 5.6 A competency framework is in place detailing the required skills for the Corporate Records Administrator and the Corporate Records Assistants.

Falkirk Community Trust Archivist

- 5.7 The Archivist has the lead role and professional oversight in respect of archival issues within Falkirk Council, Falkirk Community Trust, and Falkirk Council Licensing Board.
- 5.8 An Operational Agreement defines the respective responsibilities of the Governance Division of Corporate and Housing Services and Falkirk Community Trust to ensure effective archival and transfer arrangements are in place.
- 5.9 A competency framework is in place detailing the required skills for the Falkirk Community Trust Archivist.

Service Responsibility

- 5.10 It is the responsibility of Directors / Chief Officers to ensure the Records Management Plan is fully implemented within their Service in order to comply with, and support, the required elements of the Records Management Plan.
- 5.11 Each Director / Chief Officer will designate a records management representative to assist the Service meet their obligations under the Records Management Plan.
- 5.12 All employees are responsible for the proper management of the records they create and use and should adhere to the Records Management Plan and all relevant procedures, practices and guidance.

Information Governance Manager

- 5.13 The Information Governance Manager is the Council's Data Protection Officer and is responsible for ensuring the Council complies with data protection legislation in its management of Council records. The Information Governance

Manager is also the service unit manager responsible for the records management team.

Legal Responsibility

- 5.14 The Legal Services Unit within Corporate and Housing Services is responsible for providing legal advice in relation to access to information, information security and data protection.

People, Technology and Transformation Division Responsibility

- 5.15 The People, Technology and Transformation Division of Corporate & Housing Services is responsible for providing specialist / technical advice for all aspects of managing electronic records to fulfil the requirements of the Records Management Plan.

All Falkirk Council Employees

- 5.16 All employees have a responsibility to manage their own records from creation to disposal and therefore must adhere to all relevant procedures, practices and guidance for records management.

6. Information Management Working Group

- 6.1 The Information Management Working Group (IMWG) meets quarterly to ensure a corporate approach to information management is adopted throughout the Council. The IMWG reports when required to the Corporate Risk Management Working Group.
- 6.2 The IMWG is responsible for oversight of the continued assessment and review of the Records Management Plan required under the Act.
- 6.3 The Yammer group “Information Matters” provides a forum where representatives from across the Council can share issues, discuss best practice and work together on information and records related projects.

7. Records Management Procedures and Guidance

- 7.1 Up-to-date records management guidance and procedures are available on the Council’s intranet pages. All Services are required to adhere to the guidance and procedures. This documentation is continuously developed, monitored and updated where required and includes:

- Records Management Structure;
- Records Management Plan;
- Records Management and Preservation of Archival Policy;
- Records Management Guidance;
- Retention & Disposal Schedule and Updates Pro-forma;
- Destruction Forms; and
- Corporate Records Guidance and Procedures.

8. Assessment & Review

- 8.1 This Policy will be reviewed in conjunction with the assessment and review of the Records Management Plan required under the Act.
- 8.2 Service compliance for all records management procedures and practices will be reviewed by the IMWG. Services will, if requested, submit statements of compliance as required to demonstrate their current compliance.