

West Lothian Council and West Lothian Licensing Board

Records

Management Plan

2023

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Document Control Sheet

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Change Record Table

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28/02/2013	Roberto Riaviz	2.0	Final	Following consultation with NRS
24/04/2014	Carol Dunn	2.1	Final	Minor update
03/06/2015	Carol Dunn	2.2	Final	Minor update
31/07/2018	Carol Dunn	2.3	Final	Minor Update
23/07/2019	Carol Dunn	2.4	Final	Updates to policies and procedures. Other minor updates
09/03/2021	Carol Dunn	3.0	Final	Updated to new model plan (15 Elements)

Status Description:

Draft - These are documents for review and liable to significant change.

Final - The document is complete and is not expected to change significantly. All changes will be listed in the change record table.

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1. Overview

1.1. Background

The Public Records (Scotland) Act 2011 (hereafter referred to as 'the Act'), came fully into force in January 2013. The Act obliges West Lothian Council and other public authorities to prepare and implement a records management plan (RMP). The RMP sets out proper arrangements for the management of records within the council. The plan is agreed with the Keeper of the Records of Scotland (the Keeper) and reviewed by the council on an annual basis.

The West Lothian Council Records Management Plan is based on the Keeper's published Model Records Plan. The model plan has 15 Elements.

The 15 Elements are:

1. [Senior Management Responsibility](#)
2. [Records Manager Responsibility](#)
3. [Records Management Policy Statement](#)
4. [Business Classification](#)
5. [Retention Schedules](#)
6. [Destruction Arrangements](#)
7. [Archiving and Transfer Arrangements](#)
8. [Information Security](#)
9. [Data Protection](#)
10. [Business Continuity and Vital Records](#)
11. [Audit Trail](#)
12. [Records Management Training for Staff](#)
13. [Assessment and Review](#)
14. [Shared Information](#)
15. [Public Records Created or Held by Third Parties](#)

West Lothian Council has provided the Keeper with evidence of policies, procedures, guidance and operational activity on all elements of the plan.

The plan was initially agreed with the Keeper 09 July 2013 and subsequently been re-assessed and agreed on the 14th June 2024. The plan is reviewed annually.

The West Lothian Council RMP relates to records throughout their lifecycle, from creation and acquisition to archive and destruction. It encompasses all records across all council service areas. The plan also incorporates records held by West Lothian Licensing Board and West Lothian Schools (hereafter referred to as the council). The plan excludes Joint Boards who, under the Act, are required to submit individual RMPs.

For more information about the Public Records (Scotland) Act 2011, visit the website of the National Records of Scotland:

<https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011>

A copy of the Act can be viewed online:

<http://www.legislation.gov.uk/asp/2011/12/part/1/enacted>

1.2. Records management in West Lothian Council

The records of the council constitute an auditable account of the authority's activities, which provides evidence of the business, actions, decisions and resulting policies formed by the council.

Records represent a vital asset, which support the daily functions of the council and protect the interests and rights of staff, and members of the public, who have dealings with the council. Effective record keeping supports efficiency, consistency and continuity of work and enables the council to deliver a wide range of sustainable services. It ensures that the correct information is: captured, stored, maintained, retrieved and destroyed or preserved in accordance with business need, statutory and legislative requirements.

Records management is an essential part of enabling the council to achieve priority outcomes that reflect what is most important to the people and communities of West Lothian as set out in the council's [Corporate Plan 2023 to 2028](#). The council maintains an overarching [Information Governance Policy](#), records management procedures and practices across all its service areas. These are based upon the requirements of the Public Records (Scotland) Act 2011, records management best practice and the principles detailed below.

1.3. Records management principles

The following principles drive activities relating to effective information governance within the council:

- Information is a **valuable asset** and is managed as such;
- Information governance is the **responsibility of all** who handle or manage council information;
- Information is acquired, created, maintained, shared and disposed of in **accordance with legislation, regulations, guidance, standards and best practice**;
- The **rights of data subjects are recognised and respected** in all aspects of Information governance;
- Information is appropriately **secured and protected**;
- Information is **shared** appropriately and **not duplicated** unnecessarily;
- Information is **stored within approved systems** not in personal filing;
- Information is **accessible** and **preserved** for as long as required;
- Staff are **trained** in information governance procedures;
- Risks are **identified** and **mitigated**;
- Information governance **supports the council values** of making best use of resources and being honest, open and accountable.
- Councillors have **awareness, oversight**, the opportunity and ability to **scrutinise** information governance and regulatory compliance;
- Information governance practice is **compliant with duties** under the Equality Act 2010.

1.4. Records covered by this plan

In line with the Act, **all** records created in the carrying out of the council's functions (whether directly or by third parties) are public records. Part 1, section 3.1 of the Act states that:

“... “public records”, in relation to an authority, means—

- (a) records created by or on behalf of the authority in carrying out its functions,*
- (b) records created by or on behalf of a contractor in carrying out the authority's functions,*
- (c) records created by any other person that have come into the possession of the authority or a contractor in carrying out the authority's functions.”*

1.5. Records Management systems in the council

The council uses three main types of records management systems:

- Manual Filing Systems (where it is necessary to keep paper and other physical records);
- IT applications and databases (that process records for specific functions e.g. HR, Purchasing, Housing Management etc.);
- Corporate Enterprise Content Management system (ECM).

All records management systems are subject to the [Information Governance Policy](#) and associated records management procedures, guidelines and elements of this plan.

2. Elements of the Plan

2.1. Element 1: Senior Management Responsibility

Senior Management responsibility for the Records Management Plan lies with **Lesley Henderson, Interim Head of Corporate Services**. For enquiries relating to the Records Management Plan please contact:

The Customer Service Centre
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian EH54 6FF
Tel: 01506 280000
Email: customer.service@westlothian.gov.uk

2.2. Element 2: Records Manager Responsibility

The point of contact for the operation of records management within the council is **Carol Dunn, Records Manager**. For enquiries relating to the operational aspects of Records Management please contact:

The Customer Service Centre
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian EH54 6FF
Tel: 01506 280000
Email: customer.service@westlothian.gov.uk

2.3. Element 3: Records Management Policy Statement

The council's commitment to effective records management is set out in the corporate [Information Governance Policy](#) and in the councils [Improvement Strategy](#). These are subject to ongoing monitoring and review.

Online guidelines and procedures are available to all staff e.g. Creating Records, Managing Records, Managing Emails, File Naming and Disposing of Records etc. These are supported by regular, mandatory online training and local experts within each service area.

The council has implemented an Enterprise Content Management System (ECM) as a central corporate repository. The ECM is compliant with the European MoReq2010 standard for the collection of information within records management systems. Read more about MoReq2 at <https://irms.org.uk/page/moreq2>

2.4. Element 4: Business Classification

The council have adapted the Local Government Functional Classification Scheme (LGFCS) as a basis to its business classification scheme. The LGFCS is developed in a structure that supports the business functions and activities of the authority. The LGFCS hierarchy is structured in three tiers:

- Level 1: Functions
- Level 2: Activities
- Level 3: Transactions

The council have expanded upon this to include further levels (levels 4-6) detailing sub-groupings of records types and years. The deployment of ECM in the council has required that file plans are developed to accommodate strict security models, whilst facilitating information sharing and the application of record disposals.

'Information Liaison Officers', 'Local Records Officers' and 'Objective Leads' are defined roles that manage and maintain local file plans for their respective service areas.

The LGFCS was developed by the Information & Records Management Society. Details of the LGFCS can be viewed on their website: <https://irms.org.uk>

2.5. Element 5: Retention Schedules

West Lothian Council have adapted the Scottish Council for Archives Records Retention Schedule (SCARRS) model as the basis to the councils approved retention schedules. These retention schedules are endorsed by each Head of Service (as appropriate) and applied to both electronic records and paper records.

More information on SCARRS can be found on the Scottish Archives website: <http://www.scottisharchives.org.uk/scarrs>

In addition, West Lothian Council have detailed paper records inventories and implement disposals for each record set in accordance with approved retention schedules.

West Lothian Council Archives service provides a centralised resource for the storage of long-term operational records (non-current) and the preservation of historical records. This resource works with services to identify records for archival, preservation or destruction.

Standards for records retention are built into contracts and agreements with third parties who share or process information on the council's behalf.

2.6. Element 6: Destruction Arrangements

West Lothian Council have contracts in place for the bulk destruction of paper records and IT equipment containing electronic records:

- Restore Data Shred - Provide a confidential shredding service for paper records. Company website: <https://www.restore.co.uk/datashred>
- CCL North Ltd – Provide a secure hardware destruction service (to UK Government standards). Company website: <http://www.cclnorth.com/secure-data-destruction.html>

In addition, West Lothian Council uses on site paper/CD/DVD shredders which ensure that paper and optical media are destroyed to European security standards (2 x 15 mm particles).

Standards for records destruction arrangements are built into contracts and agreements with third parties who handle or process records on the council's behalf.

2.7. Element 7: Archiving and Transfer Arrangements

West Lothian Council operate an in-house archive facility that provides services for the preservation of both historical and long-term operational records. Archiving and transfer arrangements are detailed within policies, procedures and guidelines and within approved records retention schedules.

More information on the Archives service is available on the council's website: <https://www.westlothian.gov.uk/archives>

Archives arrangements are also included in the [Information Governance Policy](#).

2.8. Element 8: Information Security

The council operates an Information Security Management System (ISMS) in accordance with the international standard ISO27001. The council's [Information Governance Policy](#) and Information Security Guidance comply with this standard and provide a framework for all services.

All staff receive information security awareness training and are regularly reminded of the importance of security. Procedures and processes, such as, the Information Security Guidance are in place to deal with threats, risks and breaches of security.

Compliance with security requirements is assessed and reviewed as per the governance model described in Element 13.

More information on ISO27001 can be found on the British Standards Institute website. <http://www.bsigroup.co.uk/en-GB/iso-27001-information-security/>

2.9. Element 9: Data Protection

In order to deliver services to the various communities in West Lothian, West Lothian Council requires gathering and processing personal data about residents, staff and other individuals. Data Protection law regulates the processing of personal data by West Lothian Council. Data Protection law gives individuals a number of rights. This includes the right to be advised of, and receive copies of, any personal data relating to them which is held by West Lothian Council.

Data Protection law is enforced and promoted by the Information Commissioner's Office (ICO). The ICO provides guidance and advice on complying with the terms of the law and investigate complaints regarding possible breaches of the obligations defined within the law.

The Information Commissioner maintains a register of fee payers listing all Data Controllers in the UK. Every organisation that processes personal information are required to pay a fee to the ICO, unless they are exempt. West Lothian's registration can be viewed on the Information Commissioner's website, www.ico.gov.uk registration number **Z6925127**.

Data Protection law sets out data protection principles which must be complied with when the council is processing personal data. The principles require that personal data is:

- processed lawfully, fairly, and in a transparent manner;
- collected for specified, explicit and legitimate purposes;
- adequate, relevant and limited to only what is necessary;
- accurate and, where necessary, kept up to date;
- kept for no longer than is necessary;
- processed in a manner that ensures appropriate security, including protection against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The Head of Corporate Services is the Council's Data Protection officer and has responsibility for monitoring data protection compliance throughout the council. Each Head of Service has nominated an Information Liaison Officer (ILO). The ILO is responsible for providing routine advice on Data Protection to the Head of Service and other officers and for co-ordinating responses to Subject Access Requests. The ILO also acts as the service representative on the Council's Information Management Working Group, which is chaired by the Data Protection Officer.

The council has an [Information Governance Policy](#) to ensure that the council complies with the requirements of Data Protection law. The Policy is regularly reviewed by the Data Protection Officer and Information Management Working Group. In addition, the council has developed general guidelines for officers to ensure compliance with the responsibilities of the council when processing personal data. Other policies and procedures are in place that cover the use of mobile electronic devices, the use of council e-mail and internet systems, the application of passwords to electronic information, the disposal of IT hardware etc.

The Council enter into agreements (Data Processing/Sharing Agreements) where a third party requires to be provided with personal data to allow it to deliver a service on behalf of the council. The Council also ensure that Information Sharing Protocols are entered into when the council is proposing to share personal data in circumstances which are permitted in terms of the data protection principles.

All council officers are required to undertake mandatory data protection and information security training to ensure that personal data is processed in accordance with the data protection principles.

2.10. Element 10: Business Continuity and Vital Records

West Lothian Council have identified their vital records through the business classification schemes (file plans) and paper inventories of each service.

These feed the Business Continuity and Disaster Recovery planning process for each service area.

2.11. Element 11: Audit Trail: Tracking and Version Control

The council's ECM provides version control functions as well as electronic audit trails as evidence of viewing, modifying, and deletion of records.

IT systems and databases provide audit logs that record usage and updates to records.

Paper records of an operational nature are maintained on site and identified within paper records inventories. Movement of paper records is controlled through a method of check-out/in deployed within each service area.

In addition, archiving procedures ensure that paper records are tracked from local storage to long term archive/preservation.

2.12. Element 12: Records Management Training for Staff

West Lothian Council employ staff that have specific responsibilities for Information Management, Records Management and Information Security. Role descriptions are available for the IT Security Architect, Records Manager, Archivist and Records Manager, Information Liaison Officers, Local Records Officers and Objective Leads.

All staff within West Lothian Council must complete mandatory online training in Records Management, Information Security, Data Protection and Freedom of Information. Access to council systems is revoked for staff who do not complete this training.

Local training modules have been put in place for service areas who routinely deal with more sensitive personal and/or confidential information.

Regular communications ensure that staff remain aware of records management requirements and best practice.

2.13. Element 13: Assessment and Review

The [Records Management Plan](#) and [Information Governance Policy](#) are subject to the council's standard governance, monitoring and review process. The plan is formally audited and reviewed on an annual basis.

Formal governance over this plan is set out in the table below.

Group	Governance/Scrutiny Role	Reporting Frequency
Information Management Working Group	Developing and implementing policies and procedures relating to the plan and monitoring/reporting progress across service areas	Monthly
Governance and Risk Board	Reviewing and implementing policies, procedures and standards. Monitoring performance relating to this plan	Quarterly
Partnership and Resources Policy Development and Scrutiny Panel	Scrutinise and review the plan and supporting strategies, policies and progress	Where required
Council Executive	Approval of the plan and associated strategies and policies	Where required

All services are required to monitor, self audit and report on performance on an ongoing basis. Service level plans are put in place for the continued development and improvement of records management practice in each area.

2.14. Element 14: Shared Information

West Lothian Council follow the Information Commissioners Data Sharing Code of Practice. The council's Records of Processing Activities (ROPA) identify all instances of information sharing between service areas and where information is shared with, or processed by, a third party. Data sharing arrangements are governed by the council's [Data Sharing Code of Practice](#) and in agreements with third parties such as Data Sharing Agreements, Data Processing Agreements and Data Processing Information Handling Standards. Agreements set out the purpose of the data sharing, describe what happens to the data at each stage, define data handling requirements and detail all the parties involved in sharing and their respective roles and responsibilities. Information Sharing Protocols are also established where required to do so.

When undertaking any new data sharing activity, the council complete Data Protection Impact Assessments (DPIAs). DPIAs ensure that data is shared fairly and lawfully, that appropriate transparency measures are in place, such as, Privacy Notices and that perceived risks are identified and mitigated. Privacy Notices are available on the council's [data protection web page](#).

The council's guide to the [Publication Scheme](#) describes the information that we routinely publish and what information may be used and share by anyone without restrictions.

2.15. Element 15: Public Records Created or Held by Third Parties

Where the council make use of third parties to provide services on our behalf, appropriate contractual arrangements are in place that define the responsibilities of the third party in keeping with the requirements of the Public Records (Scotland) Act 2011, Data Protection Act 2018, UK GDPR and Freedom of the Information (Scotland) Act 2002. Third parties are required to agree to appropriate contractual controls including standard contractual terms and conditions. Terms and conditions are reviewed and updated where changes to legislation require us to do so.

Data Processing Information Handling Standards are supplied to third parties to provide guidance on the standards appropriate to the handling of public records. Third parties engaged in providing a service on behalf of the council are required to provide evidence of the appropriate handling of records, such as, policies, procedures, guidance and training as well as any compliance or certification to standards, such as, BS ISO 270001. End of contract clauses are included to ensure that ongoing controls are applied to records, such as, transfer back to the authority.