



## Orkney Islands Council

# Records Management Policy

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## Document control Sheet

### Review/Approval History

| Date.            | Name.  | Position.                       | Version Approved.                   |
|------------------|--|---------------------------------|-------------------------------------|
| 9 December 2014. | Fraser Bell.   | Head of Legal Services.         | Version 1. Council 9 December 2014. |
| 5 June 2020.     | George Vickers and Special Information Governance Group. | Information Governance Officer. | 1.1. Final.                         |

### Change Record Table

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### Status Description

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

# Contents

|   |    |
|---|----|
| Definitions.....                            | 4  |
| 1. Policy Statement.....                    | 5  |
| 2. Objectives.....                          | 5  |
| 3. Scope.....                               | 5  |
| 4. Principles.....                          | 5  |
| 5. Benefits.....                            | 6  |
| 6. Roles and Responsibilities.....          | 6  |
| 7. Legislative and Standards Framework..... | 8  |
| 8. Monitoring and Reporting.....            | 10 |
| 9. Related Policies and Procedures.....     | 10 |
| 10. Further Information and Guidance.....   | 10 |

## **Definitions**

### **Record**

According to BS ISO 15489-1:2016, records are 'Recorded information, in any form, including data systems, created, received and maintained by the Council and kept as evidence of an activity and as an asset by the Council, in pursuance of our legal obligations or in the transaction of business.'

### **Document**

Any account or collection of data and/or information in any form. Documents are discrete and identifiable from other documents and there are logical relationships between each of the textual (and sometimes visual) elements of which it is composed. Examples of documents could include drafts and some emails.

### **Disposition**

A comprehensive term that refers to the actions associated with implementing decisions about the retention or destruction of records. This may include destruction as well as other actions, such as the transfer and migration of records.

### **Metadata**

Structured or semi-structured information, which enables the creation, management, and use of records through time and within and across domains. This is the 'data about data' which, for example, might include the date a record was created and the name of the individual who created it.

### **Vital Records**

This is a record without which an organisation would be unable to function or to prove that a key activity had taken place.

### **Format**

A record can be in any format including (but not limited to) paper files, e-mail, audio/visual, electronic documents, systems data, databases, digital images and photographs.

### **Records Management**

The control of the Council records during their lifetime, from creation to storage, until archiving or destruction.

### **Record Keeping System**

A system or procedure by which the records of the Council are created, captured, secured, maintained and disposed of.

# 1. Policy Statement

The records of Orkney Islands Council constitute an auditable account of the authority's activities. They provide evidence of the business, actions, decisions and policies created by the Council.

Records represent a vital asset. They 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 services. It ensures that the correct information is captured, stored, maintained, retrieved and destroyed or preserved in accordance with business need, best practice and the law.

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 the Orkney Islands as set out in the Council Plan 2018-2023. Orkney Islands Council will maintain a Records Management Plan, policies, procedures and practices across all its service areas. These will be based upon the requirements of the Public Records (Scotland) Act 2011 and the principles detailed below.

## 2. Objectives

The key objectives of this Policy are to establish:

- Awareness of records management principles, roles and responsibilities within the Council;
- A common and consistent approach to records management throughout the Council;
- Compliance with legislation relating to Records Management;
- Corporate and service based standards for record keeping; and
- Arrangements for monitoring and reporting on Records Management.

## 3. Scope

This policy applies to all aspects of Council operations including:

- All staff and those performing a function on behalf of the Council;
- All records in all formats; and
- Business information systems used to create, store, maintain and archive or dispose of records.

## 4. Principles

The following principles will drive activities relating to records management:

- Records are a **valuable resource** and must be managed as such.
- Records are maintained in accordance with **legislation**.
- Records are stored within **record keeping systems** rather than in personal filing.
- Records are **shared** and **not duplicated**.

- Records are stored in a **consistent** manner that reflects Council functions.
- Records are appropriately **secured**.
- Records are easily **accessible** for as long as they are required.
- Records that are identified as **vital** are **protected** accordingly.
- Records that are identified as of **historical significance** are **preserved**.
- Records are **disposed of** in accordance with approved Records Retention Schedules.
- Records management procedures are understood by all staff and staff are appropriately **trained**.
- Records management is a **responsibility** of all staff.
- Records management practices **comply with corporate policy, procedures, best practice and the law**.
- Records keeping systems **manage records throughout their lifecycle**.
- Records management practices will **support Council values**.

## 5. Benefits

The benefits of effective records management for the Council are:

- Accurate and reliable records that are created, stored and disposed of in a managed environment;
- Increased efficiency and effectiveness;
- Accurate and timely retrieval of records through effective filing schemes;
- Savings in administrative costs;
- Support and achievement of business objectives and targets;
- Better use of Council facilities as records are retained for no longer than is necessary through use of retention schedules;
- Compliance with legislation or guidelines governing the retention of local authority records;
- Identification of records of historical value for permanent retention at the earliest possible moment;
- Records are created and managed in the most appropriate medium;
- Improved compliance with access to information legislation; and
- Records are maintained adequately for the purposes for which they are kept.

All processes and procedures relating to records must comply with and support this policy.

## 6. Roles and Responsibilities

### Corporate Leadership Team

Overall responsibility and accountability for ensuring that all staff and associated third parties comply with information legislation, this Policy and associated policies and procedures lies with the Council's Chief Executive, Executive Directors and Heads of Service.

## **Corporate Director of Strategy, Performance and Business Solutions**

The Corporate Director of Strategy, Performance and Business Solutions will act as the Council's Senior Information Risk Owner. S/he has strategic responsibility for information governance.

## **Head of Legal and Governance**

The Head of Legal and Governance will monitor compliance with information legislation and this Policy across the Council, and acts as the organisations Data Protection Officer (DPO)

## **Information Governance Officer**

The Information Governance Officer reports directly to the Head of Legal and Governance.

The Information Governance Officer is responsible for creating, implementing and maintaining records management policies, procedures and guidance.

S/he will support service areas on achieving best practice and compliance with information legislation.

## **Information Security Officer**

The Information Security Officer is responsible for creating, implementing and maintaining the Council's security policy and procedures in order to reflect changing local and national requirements. This includes requirements arising from legislation, security standards and national guidance. S/he will support service areas on achieving best practice and compliance with such requirements.

## **Archivist**

The Archivist will ensure that policies and procedures in relation to the transfer of records to the archive and their subsequent storage and access are compatible with this Policy.

## **Information Liaison Officers**

Each Executive Director has nominated one or more Information Liaison Officer(s) to the Council's Information Governance Group. They are responsible for ensuring that all record keeping systems in their service are managed and maintained in accordance with this Policy and other associated policies and procedures.

The Information Liaison Officers will also be Information Asset Administrators and are responsible for providing routine advice on data protection to their respective services.

Each Function Area, e.g. Roads, Waste etc., may also nominate a team member to assist the Information Liaison Officers by administering the records management processes for that area, undertaking tasks such as ensuring correct naming of files,

using the records retention schedule for correct management of records, transfer of relevant files to store, etc.

## **Orkney Islands Council Employees**

All employees have a responsibility to ensure they create, manage and dispose of records in accordance with this Policy and associated guidelines and procedures.

All Council staff and third parties responsible for projects must ensure record management requirements are addressed during the planning, design and implementation of projects. They must consider this Policy and associated procedures are complied with.

All employees must understand their responsibilities for record keeping, are appropriately trained in managing records, and implement the procedures for maintaining records in accordance with this Policy and associated guidance.

## **Elected Members**

Councillors, acting in their capacity as members of the Council, are subject to the same corporate responsibilities as employees for the management of records.

## **Third Parties**

Consultants, volunteers, contractors, agents or any other individual performing a function on behalf of the Council.

## **7. Legislative and Standards Framework**

This Policy and the associated records management guidance have been developed within the context of national legislation, professional standards and codes of practice. As far as is practical, this Policy and associated policies and procedures will address the records management principles found in:

### **Legislation:**

- Adults with Incapacity (Scotland) Act 2000.
- Age of Legal Capacity (Scotland) Act 1991.
- Computer Misuse Act 1990.
- Copyright, Designs and Patents Act 1988.
- Data Protection Act 2018.
- General Data Protection Regulation.
- Environmental Information (Scotland) Regulations 2004.
- Freedom of Information (Scotland) Act 2002.
- Inspire (Scotland) Regulations 2009.
- Human Rights Act 1998.
- Local Government (Scotland) Act 1994.
- Public Records (Scotland) Act 2011.
- Regulation of Investigatory Powers (Scotland) Act 2000.



- Re-use of Public Sector Information Regulations 2005.

## **Standards and Codes of Practice:**

- BS ISO 15489 – Information and Documentation - Records Management. (Ensures that policies and procedures are in place).
- BIP 0025 – Effective Records Management. (For introducing best practice quality initiatives; legal and regulatory compliance in the management of records).
- BS 10008:2008 – Evidential weight and legal admissibility of electronic information. (Where significant amounts of an organisation's information is in electronic format this standard is relevant).

## **Code of Practice**

- Code of Practice on Records Management issued under Section 61 of the Freedom of Information (Scotland) Act 2002.

## **8. Monitoring and Reporting**

This Policy will be reviewed annually by the Information Governance Officer and the Information Governance Group.

A review of the Council's compliance with relevant legislation and best practice will be reported to elected members on an annual basis.

The Information Governance Officer will monitor the Council's compliance with relevant legislation and best practice.

Proposed changes to information governance policies or procedures will be considered by the Information Governance Group in the first instance.

## **9. Related Policies and Procedures**

- Orkney Islands Council Data Protection Policy.
- Orkney Islands Council Data Protection Procedure.
- Orkney Islands Council Information Security Policy.
- Orkney Islands Council Freedom of Information Policy.
- Orkney Islands Council Records Retention Schedule.

## **10. Further Information and Guidance**

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