



## **RECORDS MANAGEMENT PLAN**

## TABLE OF CONTENTS

Section	Page
1. Introduction	1
2. Senior Management Responsibility	1
3. Records Manager Responsibility	2
4. Records Management Policy Statement	2
5. Business Classification	4
6. Retention Schedules	4
7. Destruction Arrangements	5
8. Archiving and Transfer Arrangements	6
9. Information Security	6
10. Data Protection	7
11. Business Continuity and Vital Records	8
12. Audit Trail	8
13. Competency Framework for Records Management Staff	9
14. Assessment and Review	9
15. Shared Information	10
 Annex 2A	 Executive Director Job Description
Annex 3A	Office Manager Job Description
Annex 4A	Member Induction Pack
Annex 5A	Business Classification Scheme
Annex 5B	Document Retention Schedule
Annex 7A	Folder & Files Disposal Policy
Annex 7B	Extract from Scottish Parliamentary Corporate body RMP: Element 8
Annex 7C	Business Continuity Plan
Annex 7D	Memorandum of Understanding between Standards Commission and the Keeper
Annex 9A	Service Level Agreement with SPCB Business Information Technology Section
Annex 9B	Data Protection and Privacy Policy
Annex 10A	Staff Competency Framework
Annex 13A	Office Manager – Objectives
Annex 14A	Business Plan
Annex 14B	Standards Commission - Committee Meetings & Workplan

## 1. INTRODUCTION

- 1.1 Under the Public Records (Scotland) Act 2011 (the 2011 Act) Scottish Public Authorities are required to produce and submit a records management plan (RMP) setting out proper arrangements for the management of an authority's public records to the Keeper of the Records of Scotland (the Keeper), for their agreement under Section 1 of the 2011 Act.
- 1.2 The scope of the RMP applies to all records irrespective of the technology used to record and store them or the type of information they contain.
- 1.3 Section 1 of the 2011 Act is as follows:  
(1) Every authority to which this Part applies must—  
(a) prepare a plan (a "records management plan") setting out proper arrangements for the management of the authority's public records,  
(b) submit the plan to the Keeper for agreement, and  
(c) ensure that its public records are managed in accordance with the plan as agreed with the Keeper.
- 1.4 This document outlines the elements of the RMP for the Standards Commission for Scotland (the Standards Commission) and is available on the Standards Commission's website at: <http://www.standardscommissionscotland.org.uk/corporate-info/statutory-information>
- 1.5 The Standards Commission approved the original RMP at its meeting on 27 April 2015. The plan was reviewed and approved by the Standards Commission at its meeting on 31 July 2017. Going forward the RMP will be reviewed by the Standards Commission annually.
- 1.6 **Evidence:** [www.standardscommissionscotland.org.uk/about-us/commission-minutes-of-meetings](http://www.standardscommissionscotland.org.uk/about-us/commission-minutes-of-meetings).

## 2. SENIOR MANAGEMENT RESPONSIBILITY

- 2.1 Section 1(2)(a)(i) of the 2011 Act requires an authority's RMP to identify the individual who is responsible for the management of the authority's public records.
- 2.2 The senior manager who is accountable for records management and is responsible overall for the RMP submitted on behalf of the Standards Commission is the Executive Director. These responsibilities are included in the Executive Director's duties and evidenced by the job description. The plan is supported by the Members of the Standards Commission.
- 2.3 The Executive Director is Lorna Johnston. Any change to the post-holder will not invalidate this plan as all records management responsibilities will be transferred to the incoming post holder and relevant training provided.
- 2.4 **Evidence:** Annex 2A – Executive Director's job description

### 3. RECORDS MANAGER RESPONSIBILITY

- 3.1 Section 1(2)(a)(ii) of the 2011 Act requires an authority's RMP to identify the individual who is responsible for ensuring compliance with the RMP.
- 3.2 The officer with operational responsibility for records management within the Standards Commission is the Office Manager. The Office Manager is responsible for day to day compliance with the RMP and is the Keeper's initial point of contact for record management issues. These functions are included in the Office Manager's duties and is evidenced by the job description.
- 3.3 The Office Manager is Sarah Nicholson. Any change to the post-holder will not invalidate this plan as all records management responsibilities will be transferred to the incoming post holder and relevant training provided.

- 3.4 **Evidence:** **Annex 3A** - Office Manager's job description

### 4. RECORDS MANAGEMENT POLICY STATEMENT

- 4.1 Section 1(2)(b)(i) of the 2011 Act requires an authority's RMP to include provisions about the procedures to be followed in managing the authority's public records. The Keeper expects each authority's RMP to include a statement describing how the authority creates and manages authentic, reliable and useable records, capable of supporting business functions and activities for as long as they are required.
- 4.2 The Ethical Standards in Public Life etc. (Scotland) Act 2000 (the 2000 Act) provides for a framework to encourage and, where necessary enforce, high ethical standards in public life. The 2000 Act (as amended) established the Standards Commission and an officeholder referred to as the Ethical Standards Commissioner (ESC).
- 4.3 In essence, the 2000 Act creates a framework whereby local authorities and devolved public bodies are required to adopt Codes of Conduct for their members. Complaints of potential breaches of these Codes are investigated by the ESC and thereafter referred to the Standards Commission for consideration and adjudicatory action.
- 4.4 The Standards Commission's functions as provided for by the 2000 Act are to:
- issue guidance to councils and devolved public bodies to assist them in promoting high standards of conduct;
  - receive reports from the ESC on the outcome of their investigations and determine whether to direct the ESC to carry out further investigations, to hold a Hearing or to take no action.
- 4.5 Where the Standards Commission decides to hold a Hearing, its functions are to:

- determine whether a councillor or member of a devolved public body has contravened the Councillors' or the Members' Code;
  - following a Hearing, where the Panel find that a councillor or member has breached the relevant Code, determine the sanction to be applied.
- 4.6 As with any public authority, the Standards Commission is expected to comply with all legislative and statutory frameworks, which apply. The other legislation that is particularly relevant is:
- The Public Records (Scotland) Act 2011;
  - The Environmental Information (Scotland) Regulations 2004;
  - Freedom of Information (Scotland) Act 2002;
  - Data Protection Act 2018; and
  - General Data Protection Regulation.
- 4.7 The Standards Commission recognises that the effective management of records, regardless of format, is essential in supporting its functions, complying with legal, statutory and regulatory obligations, and demonstrating transparency and accountability.
- 4.8 Records are a vital information asset and a valuable resource for the Standards Commission's functions, and must be managed effectively from the point of creation until ultimate disposal.
- 4.9 It is the Standard Commission's policy to maintain authentic, reliable and useable records which are capable of supporting its functions for as long as they are required.
- 4.10 The Standards Commission's RMP sets out its policies and procedures for records creation and the policies and procedures in place to manage those records properly.
- 4.11 All staff and Members of the Standards Commission have a responsibility to manage records effectively throughout their lifecycle. This includes managing access and, tracking and storing records appropriately. It also includes undertaking, timely reviews of records, either for permanent preservation, confidential destruction, or, if appropriate, their ultimate disposal.
- 4.12 Training on the RMP, including the policies and procedures for records creation and the policies and procedures in place to manage those records properly form part of the induction programme for staff and Members of the Standards Commission. Changes made to the RMP, and any other policies and procedures, will be brought to the attention of Members and staff by the Office Manager. A paper will be presented to the Standards Commission to provide a brief update on what changes have been made to the policies or procedures. Staff will be updated on any changes via email.
- 4.13
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|------------------|---|
| <b>Evidence:</b> | <b>Annex 4A – New Member Induction Plan</b> |
|------------------|---|

## 5. BUSINESS CLASSIFICATION

- 5.1 The Keeper expects an organisation to carry out a comprehensive assessment of its core business functions and activities, and represent these within a business classification scheme. A business classification scheme usually takes the form of a hierarchical model and records, at a given point in time, the informational assets the business creates and maintains, and in which function or service area they are held.
- 5.2 The Standards Commission has a Business Classification Scheme, under which it creates and maintains its records.
- 5.3 The Standards Commission's Business Classification Scheme and Document Retention Schedule are set out in Annexes 5A & 5B. The Standard Commission's governance and operational files; case management folders; and personnel files are held electronically within a shared folder. Information and records are created and maintained in accordance with the Business Classification Scheme. All electronic documents received by the Standards Commission are saved into the appropriate location within the folder structure. The Standards Commission now receives very few paper documents, but if these are received, they would be scanned and then treated as electronic documents as above. The original documents would thereafter be destroyed in line with the Standards Commission's records management and destruction arrangements.

5.4

**Evidence:**      **Annex 5A - Business Classification Scheme**  
                         **Annex 5B –Document Retention Schedule**

## 6. RETENTION SCHEDULES

- 6.1 Section 1(2)(b)(iii) of the 2011 Act requires an authority's RMP to include provision about the archiving and destruction or other disposal of an authority's public records. An authority's RMP must demonstrate the existence of and adherence to corporate records retention procedures.
- 6.2 The Standards Commission's staff review records in accordance with its retention policies and procedures.
- 6.3 The Document Retention Schedule is outlined in the Business Classification Scheme at Annex 5B.

6.4

**Evidence:**      **Annex 5B - Document Retention Schedule**

## 7. DESTRUCTION ARRANGEMENTS

- 7.1 Section 1(2)(b)(iii) of the 2011 Act requires an authority's RMP to include provisions concerning the archiving and destruction or other disposal of an authority's public records. This compulsory element must show that the authority has developed proper destruction arrangements.
- 7.2 The Standards Commission recognises the importance of ensuring personal data that is no longer required is destroyed safely. The Standards Commission further recognises the importance of following correct procedures when destroying business information in order to minimise the risk of an information security incident and to ensure that the Standards Commission continues to meet its obligations in relation to the effective management of its records throughout their lifecycle.
- 7.3 Records that are no longer required for business use and have reached the end of their retention period are disposed of in order to reduce unnecessary cost to the organisation (both in relation to the storage of records and staff time spent searching for information). Each quarter, Commission Members are requested to destroy (and confirm that they have done so) electronic records that have been shared with them and are no longer in use.
- 7.4 Any records that are deemed to have a long term legal or historical value will be transferred for archiving in line with the Memorandum of Understanding between the Keeper and the Standards Commission.
- 7.5 The Document Retention Schedule is outlined in the Business Classification Scheme at Annex 5B. Destruction of information will be arranged by the staff member identified as having responsibility in the Disposal Policy attached at Annex 7A. The Standards Commission has implemented a disposal schedule which is updated when records are destroyed and details the action taken, by whom and when. The Disposal Policy, File Destruction database and Document Retention Schedule are held on the Standards Commission's G/drive and are monitored and reviewed by the Office Manager. The Records Disposal database is updated following the decision to delete a file and / or individual documents from the electronic file system.

7.6

**Evidence:**

**Annex 7A** - Disposal Policy

**Annex 7C** - Business Continuity Plan

**Annex 7D** - Memorandum of Understanding between Standards Commission and Keeper

**Annex 5B** - Document Retention Schedule (Business Classification Scheme)

## 8. ARCHIVING AND TRANSFER ARRANGEMENTS

- 8.1 Section 1(2)(b)(iii) of the 2011 Act requires an authority's RMP to include a provision about the archiving and destruction or other disposal of an authority's public records. This compulsory element must show that the authority has archiving and transfer arrangements that ensures records of interest and enduring value are deposited in an appropriate archive repository for permanent preservation.
- 8.2 The Standards Commission will deposit all records which have a long-term legal or historical value with the Keeper.
- 8.3 When a paper record, or a copy of an electronic record, is being transferred to the permanent archive the Standards Commission's Disposal Log is completed to record the details and to record the officer authorising the transfer (being the officer arranging the transfer). The process implemented will align with the "Transferring Public Records to the NRS".
- 8.4 The following records should be preserved once the business need for this information has been exhausted:
- 8.4.1 Records relating to the origins and history of the Standards Commission and its functions. The Standards Commission maintains the archive for these items unless otherwise agreed with National Records of Scotland;
  - 8.4.2 Annual Reports and Accounts. The Standards Commission maintains the archive for these items unless otherwise agreed with National Records of Scotland;
  - 8.4.3 Records which must be permanently preserved by statute; and
  - 8.4.4 Documents relating to high profile cases, which give rise to interest or controversy at regional or national level, particularly where those records add significantly to what is already known.

8.5

<p><b>Evidence:</b>      <b>Annex 7D</b> - Memorandum of Understanding between the Standards Commission and the Keeper</p> <p>                         <b>Annex 5A &amp; 5B</b> – Business Classification Scheme &amp; Document Retention Schedule</p>
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## 9. INFORMATION SECURITY

- 9.1 Section 1(2)(b)(ii) of the 2011 Act requires an authority's RMP to include a provision about maintaining the security of information contained in the authority's public records. This compulsory element must show that the authority has made provision for the proper level of security of its public records.
- 9.2 The Standards Commission's records are held in electronic formats. The Standards Commission now receives very few paper documents, but if these are received, they would be



scanned and then treated as electronic documents. The original documents would thereafter be destroyed in line with the Standards Commission's records management

- 9.3 The Standard Commission's IT system is provided and maintained by the Scottish Parliamentary Corporate Body (SPCB) under a Service Level Agreement. All laptops are encrypted / password protected.
- 9.4 Electronic records are held on a server in Edinburgh and Glasgow Data Centres. They are backed up daily on each working day. A copy of the backed up server is also made and is held remotely in case of a calamity at the Data Centres. In the event of a problem with a server, the SPCB would seek recovery back to the last information back up.
- 9.5 The SPCB's IT Department deploys "failover" solutions as part of its resilience and disaster recovery planning.

9.6

**Evidence:**

- Annex 9A** - Service Level Agreement with SPCB
- Annex 7B** - SPCB's Records Management Plan (Element 8) Information Security
- Annex 9B** - Data Protection Policy

## 10. DATA PROTECTION

- 10.1 An authority that handles personal information about individuals has a number of legal obligations to protect that information under the Data Protection Act. The Keeper expects an authority's RMP to indicate compliance with its data protection obligations.
- 10.2 The Standard Commission protects information it holds about stakeholders, employees and suppliers in accordance with the Data Protection Act and the Standard Commission's Data Protection and Privacy Policy (see Annex 9B). The Standards Commission's staff and Members understand the obligations under these and are committed to the safeguarding and fair processing of all personal data. The requirement to understand these obligations is encompassed in the Standards Commission's Competency Framework.
- 10.3 The Standards Commission will only retain as much information as it needs for business purposes for as long as it is needed. The person who is the subject of the information can access it on request.
- 10.4 The Standards Commission is registered with the Information Commissioner's Office as a Scottish public authority, which processes personal data, under the Freedom of Information (Scotland) Act 2002. The ICO registration number is Z6948478.

10.5

**Evidence:**

- Annex 9B** - Data Protection Policy
- Annex 10A** - Competency Framework

## 11. BUSINESS CONTINUITY AND VITAL RECORDS

- 11.1 It is recommended that public authorities have a business continuity and vital records plan in place in order to ensure that key records and systems are protected and made available as soon as possible in the event of, and following, an emergency. The plan should identify the measures in place to prepare for, respond to and recover from such an emergency.
- 11.2 The Standards Commission has a Business Continuity Plan which will be implemented, as required, with support from the SPCB's Business Information Technology Department (who provide and maintain the Standards Commission's IT system) and the SPCB (who arrange the provision of accommodation for the Standards Commission) as required.
- 11.3 The Standards Commission's vital records have been identified as:
- The internal strategy, guidance and finance information – held on a secure folder on the SPCB IT network and which can be accessed from other premises, if necessary.
  - The individual case records – held on secure drive allocated to the Standards Commission's and hosted on the SPCB IT system which is also accessible from other premises.

11.4

**Evidence:**      **Annex 7C** - Business Continuity Plan for Standards Commission  
**Annex 9A** - Service Level Agreement with SPCB for provision of IT services

## 12. AUDIT TRAIL

- 12.1 An audit trail is a sequence of steps documenting the movement and/or editing of a record resulting from activities by individuals, systems or other entities. The Keeper will expect an authority's records management system to provide evidence that the authority maintains a complete and accurate representation of all changes that occur in relation to a particular record.
- 12.2 All changes made to cases under consideration by the Standards Commission are reflected in the electronic record in the appropriate shared drive folder. The dates that documents are created and last modified are recorded on the drives. Numbered productions for Hearings are retained in an electronic file. The numbering is updated every time a document is added to the productions.
- 12.3 For documents held in the electronic shared folders (see Annex 5A), version control is maintained by appropriate headers and a standard naming approach is applied when documents are saved. Staff are required to save a document by date and by inserting a short description to reflect what the document is. Information and training on this is provided as part of the induction for new staff. The Office Manager regularly reviews the shared drive folder structure and undertakes a formal review no less frequently than annually.

12.4

**Evidence:** **Annex 5A** - Business Classification Scheme

### 13. COMPETENCY FRAMEWORK & RECORDS MANAGEMENT STAFF

- 13.1 A competency framework lists the core competencies and the key knowledge and skills required by a records manager. It can be used as a basis for developing job specifications, identifying training needs and assessing performance.
- 13.2 The Standards Commission's Competency Framework lists core competencies and key knowledge and skills for each staffing level. A competency within Level B reflects the day to day operation of the activities in the RMP as it includes managing information in line with the organisation's policies, procedures and RMP including overseeing retention, destruction, archiving and transfer arrangements. The Office Manager's post is a level B post.
- 13.3 The Office Manager's objectives include ensuring the RMP is implemented and to keep up to date with, and changes to, requirements of best practice, including attending any events run by the National Records of Scotland. Any change to the post-holder will not invalidate this plan as all records management responsibilities will be transferred to the incoming post holder and relevant training provided.
- 13.4

**Evidence:**      **Annex 10A** – Standards Commission's framework  
  
                         **Annex 13A** - Office Manager's objectives

### 14. ASSESSMENT AND REVIEW

- 14.1 Section 5(1)(a) of the 2011 Act requires an authority to keep its RMP under review. Regular assessment and review of records management systems will give an authority a clear statement of the extent that its records management practices conform to the RMP as submitted to and agreed by the Keeper. An authority's RMP must describe the procedures in place to regularly review it in the future.
- 14.2 The Executive Director of the Standards Commission will conduct an annual review of the RMP as provided for within the organisation's annual workplan to ensure all provisions remain accurate, up to date and in line with policies and procedures. The review will involve the Executive Director reading each provision and, where appropriate, cross referencing these to any relevant provisions in the supporting annexes. The Executive Director will also review the RMP any time a change is proposed to a Standards Commission policy or procedure that forms part of, or relates to, the RMP. Furthermore the Executive Director will conduct other reviews, as necessary, to reflect any staff changes and also external changes such legislative amendments or changes or alterations to the Service Level Agreement with the SPCB. The annual review task will be included as a task identified in the annual workplan.
- 14.3 The inclusion of the RMP in the annual workplan will ensure that a review process exists during the business year. The Executive Director will include, in the process, all supporting documents which support the RMP. The outcome of the review will be reported to the

Standards Commission by the Executive Director highlighting any recommendations and updates to the RMP for their consideration and agreement.

- 14.3 In addition to the reviews conducted during the year there will also be an end of year review which will ensure that new developments / legislative changes are detailed into the RMP and supporting policies. Unless otherwise requested the Executive Director will report, on behalf of the Standards Commission, to the Keeper of Records on a biennial basis.

<b>Evidence:</b> <b>Annex 14 - Standards Commission &amp; Committee Meetings Workplan</b>
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## **15.      SHARED INFORMATION**

- 15.1 Under certain conditions, information given in confidence may be shared. Most commonly this relates to personal information, but it can also happen with confidential corporate records. The Keeper expects an authority's RMP to indicate what safeguards are in place to ensure that information will be shared lawfully and securely.
- 15.2 The Standards Commission will only share information in accordance with the Data Protection Act (where that applies). Most typically data would be shared with the written consent of the data subject, or if without that consent, in compliance with that Act for example where permitted for the prevention, detection or prosecution of crime.
- 15.3 The Standards Commission receives information from the ESC, under the requirements of the 2000 Act. The ESC is required to provide information following the conclusion of their investigation into complaints made about councillors and members of devolved public bodies where they find that there has been a breach of a Code of Conduct. Information received from the ESC, or from any other source in relation to the Standards Commission's statutory role, is processed in accordance with the requirements of the 2000 Act, the Data Protection Act and the Freedom of Information (Scotland) Act.
- 15.4 There are no contractors involved in carrying out the Standards Commission's statutory functions in respect of the 2000 Act.
- 15.5 However, the Standards Commission transfers encrypted payroll and pension data to the providers of its payroll and pension services. The policies and procedures used in transferring this information are in line with the Ministry of Justice data sharing protocol and follow procedures detailed within the Information Commissioner's Code of Practice on data sharing.

**Evidence:** Standards Commission and ESC – Information Sharing  
[https://www.standardscommissionscotland.org.uk/uploads/tiny\\_mce/230808%20Information%20sharing%20agreement%20SCS%20&%20ESC%20v3.0.pdf](https://www.standardscommissionscotland.org.uk/uploads/tiny_mce/230808%20Information%20sharing%20agreement%20SCS%20&%20ESC%20v3.0.pdf)

Ministry of Justice Data Sharing Protocol:  
<http://webarchive.nationalarchives.gov.uk/20150603175044/http://www.justice.gov.uk/information-access-rights/data-protection/data-sharing>

Information Commissioner's Office: Data Sharing Code of Practice:  
[https://ico.org.uk/media/for-organisations/documents/1068/data\\_sharing\\_code\\_of\\_practice.pdf](https://ico.org.uk/media/for-organisations/documents/1068/data_sharing_code_of_practice.pdf)

#### Document Control & Version information

Summary of changes made to the document				
Date	Action by (initials)	Version Updated	New Version number	Brief Description <i>(for example – corrected typos – whole document; updated para. 1 – revised, reformatted Corporate Branding)</i>
23/11/23	SN	V6		PUR review, small updates to processes
26/10/22	SN	V5	V6	PUR review, small updates to processes
09/11/2021	SN	V4	V5	PUR review, update for Office Manager role
18/11/18	EM	V3	V4	PUR Review, reformat layout & design
01/08/17	LJ	V2	V3	Annual Review
02/09/15	EM/LJ	V1	V2	Document amended in response to Keeper's initial assessment
25/06/15	LJ	V1	N/A	RMP Submitted