

West Lothian Integration Joint Board

Date: 30 June 2020

Agenda Item: 11

ANNUAL REVIEW OF RECORDS MANAGEMENT PLAN

REPORT BY CHIEF OFFICER

A PURPOSE OF REPORT

The purpose of this report is to present a draft revised Records Management Plan to the IJB for approval to submit to the Keeper of Records for agreement.

B RECOMMENDATION

It is recommended that the Board:

1. Note that the Records Management Plan is required to be reviewed annually
2. Note that a new element is included in the revised model records management plan and that guidance for IJBs will be provided
3. Agree the recommended changes to the Plan and its submission to the Keeper of Records for agreement
4. Agree that a Progress Update Review will not be submitted this year

C SUMMARY OF IMPLICATIONS

C1	Directions to NHS Lothian and/or West Lothian Council	A direction(s) is not required.
C2	Resource/ Finance	Activities will be carried out within existing budgets.
C3	Policy/Legal	Public Records (Scotland) Act
C4	Risk	Minimal if compliance with legislation is regularly reviewed.
C5	Equality/Health	The report has been assessed as having little or no direct relevance with regard to equality or the Public Sector Equality Duty. As a result, an equality impact assessment has not been conducted.
C6	Environment and Sustainability	No environmental impacts have been identified.

C7	National Health and Wellbeing Outcomes	None
C8	Strategic Plan Outcomes	None
C9	Local Outcomes Improvement Plan	None
C10	Impact on other Lothian IJBs	No new issues. The IJBs will continue to share best practice on all related matters.

D TERMS OF REPORT

D1 Records Management Plan

1.1 The Integration Joint Board (IJB) creates new information and records as a consequence of strategic planning and the decision-making process. Effective management of this information ensures that the IJB meets its statutory requirements in relation to managing and sharing information under the Public Records (Scotland) Act, as well as maintaining public confidence and best practice.

1.2 All bodies named under the Schedule to the PRSA must on invitation provide the Keeper with a Records Management Plan (RMP) for his agreement that provides clear evidence that the authority is complying with its statutory records management obligations.

1.3 The IJB agreed its RMP on 24 September 2018, which was subsequently approved by the Keeper of Records on 21 May 2019. The RMP states that it should be reviewed annually by the IJB. Should any changes be agreed, the revised RMP should be resubmitted to the Keeper for approval. Submitting a revised RMP to the Keeper can be done at any time.

D2 Records Management Support

2.1 The council provides support to the Board by way of Committee Services, the Standards Officer and the Project Officer, therefore, most new information and records are held on council systems. In line with guidance from the Keeper, this information is managed in accordance with the records and information management policies and procedures of the council. At its meeting of 26 September 2017, the Board agreed to adopt West Lothian Council's Information Security Policy, Records Management Policy and Data Protection Policy to ensure ongoing compliance with legislation and regulation.

3 Review of Records Management Plan

3.1 The RMP has been reviewed and it is recommended that several amendments are made and that the RMP be resubmitted to the Keeper of Records for approval. A draft revised RMP is attached as Appendix 1 with the proposed changes tracked in red. To summarise, the proposed changes are:

- 3.2 Element 6 – updated to reflect change of provider commissioned by the council for the destruction of paper records.
- 3.3 Elements 8 and 9 – updated to reflect revised West Lothian Council policies and procedures for information governance.
- 3.4 It should be noted that the IJB's adoption of council policies and procedures in relation to information governance and its wider Data Protection arrangements, including the appointment of a permanent Data Protection Officer, still required to be reviewed to ensure compliance with GDPR. The result of this review may require further amendments to be made to the RMP.

4 New Model Records Management Plan

- 4.1 In 2018 the Keeper established a new Stakeholder Forum to develop and produce a revised version of the Model Plan. The most significant change to the plan came from the forum recommendation to include an additional element, Element 15: Public records created or held by third parties.
- 4.2 Element 15 covers “public records created by third parties” but does not add to the existing requirements of authorities under the Act. It merely emphasises the importance of this responsibility.
- 4.3 An authority's plan must include reference as to what public records are being created and held by a third party carrying out a function of the authority and how these are being managed to the satisfaction of the authority. This does not mean the authority must impose its own arrangements on the third party.
- 4.4 The guidance on incorporating Element 15 into RMPs has not yet been published and a surgery for IJBs scheduled for April 2020 was cancelled due to COVID-19.

5 Invitation to Submit a Progress Update Review

- 5.1 The IJB has received an invitation to submit an optional Progress Update Review (PUR) by 31 August 2020. The PUR mechanism was announced in the Keeper's 2016 Annual Report and has been developed in partnership with a Stakeholder Forum. The PUR mechanism is intended to help authorities demonstrate their continuing compliance with s.5(1)(a) of the Public Records (Scotland) Act 2011 and to keep their RMPs under review. It is also an opportunity for authorities to receive impartial feedback and advice on any advances by the Assessment Team.
- 5.2 It is a wholly voluntary scheme; there is no obligation under the Act for authorities to submit a PUR and the assessment provides an informal indication to officers of what marking an authority might expect should it submit a revised RMP to the Keeper under the Act.
- 5.3 Given this report recommends a revised RMP be submitted to the Keeper, it is further recommended that a PUR not be submitted this year.

- 5.4 However, additional evidence will be provided on behalf of the IJB to satisfy the Keeper that progress has been made. The original agreement report from the Keeper is attached as Appendix 2. It has an Amber rating at Element 7: Archiving and Transfer due to there being no formal agreement between the IJB and council for the use of archive and transfer services. A draft Memorandum of Understanding has been drawn up and this will be progressed before the revised RMP is submitted.

E CONSULTATION

None

F REFERENCES/BACKGROUND

Integration Joint Board Meetings 26 September 2017, 27 September 2018
Public Records (Scotland) Act
General Data Protection Legislation GDPR

G APPENDICES

Appendix 1: Draft Revised Records Management Plan

Appendix 2: Records Management Plan Agreement Report – 21 May 2019

H CONTACT

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30 June 2020

DATA LABEL: Public

West Lothian Integration Joint Board

Records Management Plan

Document Control Sheet

DOCUMENT CONTROL SHEET

AUTHOR(S): Roberto Riaviz (Information Strategy and Security Manager)
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Lorna Kemp (Project Officer)

DOCUMENT TITLE: West Lothian Integration Joint Board Records Management Plan 2018

Review/Approval History

Date	Name	Position	Version Approved
24/09/2018	Integration Joint Board	N/A	2.0
21/05/2019	The Keeper of Records	N/A	2.0

Change Record Table

Date	Author	Version	Status	Reason
12/05/2017	Roberto Riaviz	1.0	Draft	Initial draft
30/03/2018	Carol Dunn	1.1	Draft	Minor updates
03/09/2018	Lorna Kemp	2.0	Final	Minor updates

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 Integration Joint Board (hereafter referred to as 'the Board') 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 Board.

The Board is fully committed to compliance with the requirements of the Act. The Board will therefore follow procedures that aim to ensure that all of its officers, employees of constituent authorities supporting its work, contractors, agents, consultants and other trusted third parties who create public records on behalf of the board, or manage public records held by the board, are fully aware of and abide by this plan's arrangements.

1.2. About the Public Records (Scotland) Act 2011

The Act came into force on the 1st January 2013, and requires named public authorities to submit a Records Management Plan (RMP) to be agreed by the Keeper of the Records of Scotland. Integration Joint Boards were added to the Act's schedule by the Public Bodies (Joint Working) (Scotland) Act 2014. This document is the Records Management Plan of West Lothian Integration Joint Board.

The Records Management Plan has 14 Elements.

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. [Competency framework for records management staff](#)
13. [Assessment and review](#)
14. [Shared information](#)

1.3. About Integration Joint Boards

The integration of health and social care is part of the Scottish Government's programme of reform to improve care and support for those who use health and social care services. It is one of the Scottish Government's top priorities.

The Public Bodies (Joint Working) (Scotland) Act provides the legislative framework for the integration of health and social care services in Scotland.

It will put in place:

- Nationally agreed outcomes, which will apply across health and social care, in service planning by Integration Joint Boards and service delivery by NHS Boards and Local Authorities.
- A requirement on NHS Boards and Local Authorities to integrate health and social care budgets.
- A requirement on Partnerships to strengthen the role of clinicians and care professionals, along with the third and independent sectors, in the planning and delivery of services.

1.4. About West Lothian Integration Joint Board

West Lothian Integration Joint Board is responsible for the planning and oversight of delivery of health and social care integrated functions for West Lothian.

The [West Lothian Integration Joint Board Integration Scheme](#) sets out the functions which are delegated by NHS Lothian and West Lothian Council to the Board.

The Board operates as a body corporate (a separate legal entity), acting independently of NHS Lothian and West Lothian Council. The Board consists of six voting members appointed in equal number by the NHS Lothian and West Lothian Council, with a number of representative members who are drawn from the third sector, independent sector, staff, carers and service users. The Board is advised by a number of professionals including the Chief Officer, Medical Director, Nurse Director and Chief Social Work Officer.

The key functions of the Board are to:

- Prepare a Plan for integrated functions that is in accordance with national and local outcomes and integration principles.
- Allocate the integrated budget in accordance with the Plan.
- Oversee the delivery of services that are within the scope of the Partnership.

Information underpins the Board's over-arching strategic objective and helps it meet its strategic outcomes. Its information supports it to:

- Demonstrate accountability.
- Provide evidence of actions and decisions.
- Assist with the smooth running of business.
- Help build organisational knowledge.

Good recordkeeping practices lead to greater productivity as less time is taken to locate information. Well managed records will help the Board make:

- Better decisions based on complete information.
- Smarter and smoother work practices.
- Consistent and collaborative workgroup practices.
- Better resource management.
- Support for research and development.
- Preservation of vital and historical records.

In addition we are more accountable to the public now than ever before through the increased awareness of openness and transparency within government. Knowledge and information management is now formally recognised as a function of government similar to finance, IT and communications. It is expected that the Board is fully committed to creating, managing, disclosing, protecting and disposing of information effectively and legally.

1.5. Review

Section 5 (1) of the Act requires authorities to keep their plans under review to ensure its arrangements remain fit for purpose. The plan is agreed with the Keeper of the Records of Scotland (the Keeper) and reviewed by the Board on an annual basis.

1.6. Records Management in West Lothian Integration Joint Board

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

The plan was agreed with the Keeper ~~XXXXXX~~[21/05/2019](#) and will be reviewed annually.

The Board's Records Management Plan relates to records throughout their lifecycle, from creation and acquisition to archive and destruction. It encompasses all records across all Board service areas.

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

<http://www.nas.gov.uk/recordKeeping/publicRecordsActIntroduction.asp>

A copy of the Act can be viewed online via the National Archives website:

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

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

Records represent a vital asset, which support the daily functions of the Board and protect the interests and rights of staff, and members of the public, who have dealings with the board. Effective record keeping supports efficiency, consistency and continuity of work and enables the Board 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.

1.7. Records management 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 the functions of the Board;
- Records are appropriately **secured**;
- Records are easily **accessible** for as long as they are required;
- Records that are identified as **vital** are **protected**;
- 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 are created, stored and managed **electronically** within West Lothian Council's EDRMs unless specifically required in paper format;
- Records management is a **responsibility** of all staff;
- Records management practices **adhere to policy, procedures and standards**;
- Records keeping systems are compliant with the requirements to **manage records throughout their lifecycle**;
- Records management practices will **support the Board's values** and making best use of resources.

1.8. Records covered by this plan

In line with the Act, **all** records created in the carrying out of the Board'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.”

1.9. Records Management systems in the Board

The Board will primarily utilise West Lothian Council's Electronic Document and Records Management System (EDRMs). Other information relating to the Board is managed within West Lothian Council's [Committee Information System](#).

All records of the Board are identified within the business classification scheme and are subject to West Lothian Council's [Records Management Policy](#), procedures and guidelines.

2. Elements of the Plan

2.1. Element 1: Senior Management Responsibility

Senior Management responsibility for the Records Management Plan lies with **Jim Forrest, Director of West Lothian Health and Social Care Partnership**. 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 Management 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 Board has committed to the effective management of records and has adopted West Lothian Council's [Records Management Policy](#) as the basis to its records management policy arrangements. This is subject to ongoing monitoring and annual review.

West Lothian Council's guidelines and procedures are adopted as the standard for the management of Board records and are made readily available to all staff. This is supported by online training in the management and handling of records.

2.4. Element 4: Business Classification

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

- Level 1: functions
- Level 2: activities
- Level 3: transactions

This has been expanded to include further levels (levels 4-6) detailing sub-groupings of records types and years. The deployment of EDRMs has required that file plans are developed to accommodate strict security models, whilst facilitating information sharing and the application of disposal schedules. The Board have implemented a file plan for the capture and management of electronic records in West Lothian Councils Electronic Documents and Records Management System (EDRMs). The EDRMs is compliant with the European

MoReq2 standard for the collection of information within records management systems. Read more about MoReq2 at <http://www.moreq2.eu/faqs>.

The Board is supported by an 'Project Officer' who manages and maintains the Board's local file plan.

2.5. Element 5: Retention Schedules

The Board have adopted the Scottish Council for Archives Records Retention Schedule (SCARRS) model as the basis to their approved retention schedules. These retention schedules are endorsed by the Board and applied to all records.

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

The Archives service of West Lothian Council provides a centralised resource for long-term storage of both operational records (non-current) and preservation of historical records. This resource manages the retention and disposal of these records and works with the Board 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 Board's behalf.

2.6. Element 6: Destruction Arrangements

Where required, the Board use the contracts of West Lothian Council for the bulk destruction of paper records and IT equipment containing electronic records.

~~Data Solutions 2016~~ [Haven Products](#) Ltd - Provides a confidential shredding service for paper records

CCL North Ltd – Provides a secure hardware destruction service (to UK Government standards). Company website: <http://www.cclnorth.com/secure-data-destruction.html>

In addition, the Board use on site shredders which ensure that paper and optical media is 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 [Board's-council's](#) behalf.

2.7. Element 7: Archiving and Transfer Arrangements

The Board utilise West Lothian Council's in-house archive facility that provides for preservation of both historical and long-term operational records. Archiving and transfer arrangements are detailed within Council policies, procedures and guidelines and within the Boards approved records retention schedules.

More information on the council's Archives service is available on the council's website:

<https://www.westlothian.gov.uk/article/2052/Archives>

Link to the council's Archives and Records Management Policy on the council's website:

<https://www.westlothian.gov.uk/media/4292/Archives-and-Records-Management-Policy/pdf/archivesandrecordsmanagementpolicy.pdf>

2.8. Element 8: Information Security

The Board have adopted West Lothian Council's ~~Information Security Policy~~[Information Governance Policy](#), procedures and processes, ~~including, the councils Information Handling Procedure.~~ These are in place to deal with threats, risks and breaches of security.

Field Code Changed

The council operate an Information Security Management System (ISMS) in accordance with the international standard ISO27001. The council's Information Security Policy complies with this standard and provides a framework for all services.

All staff receive information security awareness training and are reminded of the importance of security via direct emails and local awareness sessions.

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

Data Protection law regulates the processing of personal data by the Board. Data Protection law gives individuals the right to be advised of and receive copies of any personal data relating to them which is held by the Board.

Data Protection law is enforced and promoted by the Information Commissioner's Office. The ICO provide guidance and advice on complying with the terms of the law and investigate complaints regarding possible breaches of the obligations contained 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. The Board's registration can be viewed on the Information Commissioner's Office website, registration number ZA256125.

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 Data Protection Act 2018 regulates the processing of personal data by the Board. The act gives individuals various rights over how their data is gathered and used by the Board.

The Board has put a number of safeguards in place to ensure that:

- we only gather as much information as we need, and no more;
- the information is accurate and up to date;
- the information is only used for the purpose intended;
- we only keep the information only as long as we need to.

The Board holds and maintains limited information relating to officer positions and Board Members including the register of interests. The Board may also process personal records of other individuals to:

- oversee the provision of delegated health and social care services in our area,
- maintain accounts and records,

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- promote services,
- undertake research,
- support and manage employees,
- administer the Board

The Board has adopted West Lothian Council's [Data Protection Policy](#) and associated procedures and guidance for the management and handling of personal data. The Policy is subject to regular review. All officers are required to undertake data protection and information security training to ensure that personal data is processed in accordance with the data protection principles.

Field Code Changed

Lorna Kemp, Project Officer, will act as the Board's [interim](#) Data Protection Officer and has responsibility for data protection compliance.

2.10. Element 10: Business Continuity and Vital Records

The Board have identified their vital records through the business classification schemes (file plans) and, where required, the paper inventory. West Lothian Council's business continuity arrangements apply to records of the Board.

Business Continuity arrangements are in place in both parent organisations, West Lothian Council and NHS Lothian.

2.11. Element 11: Audit Trail

West Lothian Council's EDRMs (Electronic Documents and Records Management System) provides 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.

Where paper records of an operational nature are maintained on site these are identified within the paper records inventories. Movement of these paper records are controlled through a method of check-out/in deployed by the Board.

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

2.12. Element 12: Competency framework for Records Mgt Staff

The Board is supported by staff who have specific responsibilities for information Management and Records Management. Role descriptions are available for West Lothian Council's Records Manager and Archivist and Records Manager(s), and the Board's Project Officer.

All council staff supporting the Board must complete the council's mandatory online training in Information Security Awareness, Data Protection, Freedom of Information and Records Management. Access to record keeping systems is revoked for staff who do not complete this training.

2.13.Element 13: Assessment and Review

The Boards Records Management Plan is subject to standard governance, monitoring and review processes. The plan is formally audited and reviewed on an annual basis.

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

Governance		
Group	Governance/Scrutiny Role	Reporting Frequency
West Lothian Integration Joint Board	The Board will review the Plan annually. Integration Scheme	Annually

The Board monitor, audit and, where required, make improvements on an ongoing basis. Plans are put in place for the continued development and improvement of records management practice in each area.

2.14.Element 14: Shared Information

The Board have identified all instances of information sharing requirements and where information is shared with or processed by a third party. This is governed by agreements with third parties such as Data Sharing Agreements, Data Processing Agreements and Data Processing Information Handling Standards.

Public Records (Scotland) Act 2011

West Lothian Integration Joint Board

The Keeper of the Records of Scotland

21st May 2019

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1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came fully into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

The Act has its origins in *The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995* (The Shaw Report) published in 2007. The Shaw Report recorded how its investigations were hampered by poor record keeping and found that thousands of records had been created, but were then lost due to an inadequate legislative framework and poor records management. Crucially, it demonstrated how former residents of children's homes were denied access to information about their formative years. The Shaw Report demonstrated that management of records in all formats (paper and electronic) is not just a bureaucratic process, but central to good governance and should not be ignored. A follow-up review of public records legislation by the Keeper of the Records of Scotland (the Keeper) found further evidence of poor records management across the public sector. This resulted in the passage of the Act by the Scottish Parliament in March 2011.

The Act requires a named authority to prepare and implement a records management plan (RMP) which must set out proper arrangements for the management of its records. A plan must clearly describe the way the authority cares for the records that it creates, in any format, whilst carrying out its business activities. The RMP must be agreed with the Keeper and regularly reviewed.

2. Executive Summary

This report sets out the findings of the Keeper's assessment of the RMP of West Lothian Integration Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 7th November 2018.

The assessment considered whether the RMP of West Lothian Integration Joint Board was developed with proper regard to the 14 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP of West Lothian Integration Joint Board complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

Legislation to implement health and social care integration came into force on April 1, 2016, following the Public Bodies (Joint Working) (Scotland) Act 2014. Under these new arrangements the West Lothian Council and NHS Lothian delegated some functions to a new body; the West Lothian Integration Joint Board (IJB). The West Lothian IJB is a separate and distinct legal entity from West Lothian Council and NHS Lothian. The IJB is responsible for local joint strategic commissioning of delegated health and social care services and for overseeing the delivery of services on its behalf. The arrangements for the operation, remit and governance of the IJB are set out in the Integration Scheme for West Lothian.

4. Keeper's Assessment Process

The RMP was assessed by the Public Records (Scotland) Act Assessment Team on behalf of the Keeper. Assessors used the checklist elements listed in section 5, to establish whether West Lothian Integration Joint Board's RMP was developed with proper

regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is updated as work on this element progresses.		R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.
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West Lothian Integration Joint Board
(Referred to as 'The IJB' in the assessment below)

5. Model Plan Elements: Checklist

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>West Lothian Integration Joint Board (the IJB) have identified Jim Forrest, Director of West Lothian Health and Social Care Partnership, as the individual with overall responsibility for records management in the authority.</p> <p>Mr Forrest responsibility for the operation of the IJB generally is confirmed by the <i>Terms Of Reference For West Lothian Integration Joint Board</i> which are publically available at: http://www.westlothianchcp.org.uk/hsci</p> <p>The Keeper notes that West Lothian IJB have chosen to use the term 'Director' rather than the more common 'Chief Officer'. He acknowledges that the roles are the same and, therefore:</p> <p>The Keeper agrees that West Lothian Integration Joint Board have identified an appropriate individual to this role as required by the Public Records (Scotland) Act 2011(the Act).</p>
2. Records Manager <i>Compulsory element</i>	G	G	<p>West Lothian Integration Joint Board have identified Carol Dunn, West Lothian Council Records Manager as the individual responsible for the implementation of the <i>Plan</i>.</p>

			<p>The records of the IJB are held entirely on the records management systems of West Lothian Council (see element 4) so it is appropriate for Ms Dunn to be identified in this role.</p> <p>The Keeper has already agreed that the West Lothian Council Records Manager is an appropriate individual to implement the Council RMP and therefore:</p> <p>The Keeper agrees that West Lothian Integration Joint Board have identified an appropriate individual to this role as required by the Act.</p>
3. Policy Compulsory element	G	G	<p>As explained in the IJB <i>Plan</i> (page 9), West Lothian Integration Joint Board have adopted the <i>Records Management Policy</i> of West Lothian Council. This is available at http://www.westlothian.gov.uk/media/1599/Records-Management-Policy/pdf/InfoRecordsManagementPolicy.pdf</p> <p>The Keeper has already agreed that the Records Management Policy of West Lothian Council is appropriate.</p> <p>Furthermore, the IJB Plan contains a detailed explanation of the purpose of robust records management in the introduction (pages 6 – 8). The principles outlined are entirely suitable and are supported by the <i>West Lothian Council Records Management Policy</i>.</p> <p>The Keeper agrees that West Lothian Integration Joint Board have a records management policy statement as required by the Act.</p>
4. Business Classification	G	G	<p>The introduction to the <i>Plan</i> (page 6) commits the IJB to “...managing...information effectively and legally.”</p>

			<p>West Lothian Integration Joint Board's public records are managed on the systems of West Lothian Council.</p> <p>The Keeper has been provided with a screen-shot showing how the IJB records sit on that system.</p> <p>West Lothian Council employ an EDRMs as the corporate records management system for the council.</p> <p>The Keeper agrees that this arrangement supports the IJB's records management principles explained in the plan at section 1.7 (page 7): "Records are stored within record keeping systems, rather than in personal filing" and "Records are stored in a consistent manner that reflects the functions of the Board".</p> <p>In principle, the public records the IJB are maintained in electronic format. Where paper records are required, these are logged within paper records inventories and maintained against approved records retention schedules.</p> <p>Monitoring and compliance is detailed within the council's <i>Records Management Policy (see element 3)</i>.</p> <p>The Keeper has already agreed that the 'business classification' provision of West Lothian Council is appropriate and his assessment team acknowledges that they have been regularly updated as the EDRM has developed.</p> <p>The IJB section of the EDRM is maintained by an IJB Project Officer (see under General Comments below). The Keeper commends the use of local staff in developing records management provision (see also element 5).</p>
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			The Keeper agrees that West Lothian Integration Joint Board have arrangements in place to ensure that public records are managed within a business classification scheme, a file plan or an information asset register and that this structure includes all records and information managed by the authority.
5. Retention schedule	G	G	<p>Although managed on West Lothian Council systems, retention decisions are allocated by the IJB Project Officer (see under General Comments below). The Keeper commends the involvement of local staff in the design of records management provision. In particular the Project Officer’s understanding of IJB business requirements is liable to be relevant to the creation of the retention schedule.</p> <p>The Keeper agrees that this arrangement supports the IJB’s records management principles explained in the plan at section 1.7 (page 7): " Records are disposed of in accordance with approved Records Retention Schedules "</p>
6. Destruction Arrangements <i>Compulsory element</i>	G	G	<p>The introduction to the <i>Plan</i> (page 3) commits the IJB to “...disposing...information effectively and legally.”</p> <p>West Lothian Integration Joint Board use the records management systems of West Lothian Council.</p> <p>Records held in digital format will be destroyed by imposing the retention decisions (see element 5) on the West Lothian Council EDRM.</p> <p>West Lothian Council also provide bulk paper-records destruction under contract although the Plan explains that the IJB itself has access to an on-site shredder. The specifications of this shredder have been supplied.</p>

			<p>Hardware is destroyed through a third party under contract to West Lothian Council.</p> <p>Back-ups of digital records are taken by West Lothian Council and destroyed under a pre-determined lifecycle.</p> <p>The Keeper has previously agreed that the destruction processes of West Lothian Council are suitable and can furthermore agree that the IJB shredding process for paper-records seems appropriate.</p> <p>The Keeper agrees that these arrangement support the IJB's records management principles explained in the plan at section 1.7 (page 7): " Records are disposed of in accordance with approved Records Retention Schedules "</p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p>G</p>	<p>A</p>	<p>In the introduction to the <i>Plan West Lothian Integration Joint Board</i> identify that: "Good recordkeeping practices lead to greater productivity as less time is taken to locate information. Well managed records will help.....Preservation of vital and historical records."</p> <p>To this end the IJB plan to utilise the archive facility of West Lothian Council as a repository for records selected for permanent preservation.</p> <p>As the majority of the public records of the IJB are 'born digital' it is unlikely that an operational archiving system is in place. Digital archiving functionality is in very early stages in Scotland. As the IJB is a relatively new body, with no legacy material, it is also unlikely that there is an immediate requirement to transfer public records to archive.</p> <p>The IJB notes that a formal agreement is required between the authority and the archive service and will pursue this.</p>

			<p>The arrangements to permanently accession IJB public records in West Lothian Archive supports statements elsewhere in the <i>Plan</i> (such as under section 2.11 page 13) and particularly the records management principle explained in the plan at section 1.7 (page 7): “Records that are identified as of historical significance are preserved”.</p> <p>The Keeper agrees that West Lothian Integration Joint Board have identified a suitable repository for the permanent preservation of public records. He agrees this element of the Records Management Plan under an improvement model awaiting sight of a formal agreement between the authority and the archive.</p>
<p>8. Information Security <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The introduction to the <i>Plan</i> (page 3) commits the IJB to “...protecting...information effectively and legally.”</p> <p>As explained in the IJB <i>Plan</i> (page 11), West Lothian Integration Joint Board have adopted the <i>Information Security Policy</i> of West Lothian Council. This is available at https://www.westlothian.gov.uk/media/1598/Information-Security-Policy/pdf/InfoSecurityPolicy1.pdf</p> <p>This policy is supported by a suite of guidance including the Council’s <i>Information Handling Procedures</i>: https://www.westlothian.gov.uk/media/1597/Information-Handling-Procedure/pdf/infohandling1.pdf</p> <p>“The council operate an Information Security Management System (ISMS) in accordance with the international standard ISO27001. The council’s Information Security Policy complies with this standard and provides a framework for all services.” (<i>Plan</i> page 11).</p>

			<p>The Keeper has already agreed that the information security procedures in West Lothian Council are appropriate.</p> <p>The Keeper agrees that the adoption of West Lothian Council's security procedures supports the IJB's records management principle explained in the plan at section 1.7 (page 7): "Records are appropriately secured"</p> <p>The Keeper agrees that West Lothian Integration Joint Board have arrangements in place to properly ensure that their public records are protected against unauthorised access, destruction, alteration or removal.</p>
9. Data Protection	G	G	<p>As explained in the IJB <i>Plan</i> (page 12), West Lothian Integration Joint Board have adopted the <i>Data Protection Policy</i> of West Lothian Council. This is available at: https://www.westlothian.gov.uk/dataprotectionandprivacy</p> <p>The Keeper has already agreed that the data protection procedures in West Lothian Council are appropriate.</p> <p>The IJB's named Data Protection Officer is the Project Officer, Lorna Kemp (see under General Comments below).</p> <p>The Keeper agrees that Midlothian Integration Joint Board have appropriately considered their responsibilities under the Data Protection Act 2018.</p>
10. Business Continuity and Vital Records	G	G	<p>"West Lothian Council's business continuity arrangements apply to records of the Board". In light of the majority of the IJB's public records being held in the Council's EDRM (see element 4), the Keeper agrees this is appropriate.</p>

			<p>The IJB also note that vital records have been identified, including when they exist in paper format.</p> <p>To carry out their functions, the IJB utilise records belonging to partner organisations. These records are not managed by the IJB and are not covered by the submitted <i>Plan</i>. However, the IJB takes the opportunity (page 13) to reassure the Keeper that these records are also covered by business continuity arrangements. The Keeper has previously agreed that the business continuity arrangements of West Lothian Council and of NHS Lothian are appropriate.</p> <p>The Keeper agrees that this arrangement supports the IJB's records management principle explained in the plan at section 1.7 (page 7): "Records that are identified as vital are protected".</p> <p>The Keeper agrees that there are appropriate procedures in place to resume business in the event of a disaster and that consideration has been given to vital records.</p>
11. Audit trail	G	G	<p>(see element 4)</p> <p>West Lothian Integration Joint Board's public records are managed on the systems of West Lothian Council.</p> <p>The Keeper agrees that managing the public records of the IJB through the EDM of West Lothian Council supports the records management principle explained in the plan at section 1.7 (page 7): "Records are easily accessible for as long as they are required".</p>

			<p>The IJB also manages a limited number of paper records. The <i>Plan</i> states: “Where paper records of an operational nature are maintained on site these are identified within the paper records inventories. Movement of these paper records are controlled through a method of check-out/in deployed by the Board.”</p> <p>Specifically on the subject of hard-copy records the IJB have explained to the Keeper, separate from their <i>Plan</i>, that there is currently only one confidential record series (containing special category personal information) that is held hard-copy. This series has access limited to one senior officer in the authority. They are confident that this record series is controlled and securely held. The IJB have described the security measures for this record series to the Keeper and he is content that they are adequately managed.</p> <p>The Keeper agrees that the Board have procedures in place to locate and identify records when necessary.</p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>The Keeper has already agreed that West Lothian Council’s Records Manager (see element 2) has the appropriate skills and access to training to allow her to take day-to-day responsibility for the implementation of the Council’s <i>Records Management Plan</i>. By extension, he can also agree that Ms. Dunn has the required attributes to implement the IJB <i>Plan</i>.</p> <p>The IJB <i>Plan</i> goes on to confirm the availability of training for other IJB staff members:</p> <p>“All staff receive information security awareness training and are reminded of the importance of security via direct emails and local awareness sessions.” (<i>Plan</i> page 11).</p>

			<p>“All officers are required to undertake data protection and information security training to ensure that personal data is processed in accordance with the data protection principles.” (page 12)</p> <p>Online training modules have been developed and rolled out to all staff covering:</p> <ul style="list-style-type: none"> • Data Protection Act 1998, • Freedom of Information (Scotland) Act 2002 • End User Security Awareness • IT Staff Security Awareness <p>These modules are mandatory and access permissions can be withdrawn for non compliance.</p> <p>The Keeper agrees that the individual identified at element 2 has the proper training, responsibilities and support to fulfil the role. Furthermore he acknowledges that West Lothian Integration Joint Board properly consider information governance training for all staff as appropriate.</p>
<p>13. Assessment and Review</p>	<p>G</p>	<p>G</p>	<p>The Act requires a scheduled public authority to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>The <i>Plan</i> commits to an annual review using West Lothian Council’s ‘standard governance, monitoring and review process’ (<i>Plan</i> section 2.13, page 13). The Keeper has already agreed that West Lothian Council’s monitoring and review procedures are appropriate.</p> <p>The Project Officer is responsible for the annual review, supported by the council’s Records Manager. The Reporting structure is explained.</p> <p>The Project Officer’s <i>Job Description</i> has been supplied in evidence.</p>

			<p>Therefore the Keeper can agree that that West Lothian Integration Joint Board have processes in place to review their <i>Plan</i> as required by the Act and have determined a time when this will take place. The responsibility for undertaking the review and the review reporting procedure are also clearly laid out.</p>
<p>14. Shared Information</p>	<p>G</p>	<p>G</p>	<p>As part of its function an IJB must utilise the records of other partners and, therefore, information sharing is a key part of its business. In the case of West Lothian Integration Joint Board the record of the Board itself are managed by a third party (the Council). For these reasons the Keeper must be satisfied that robust data sharing agreements are in place.</p> <p>The Plan commits the IJB to pursuing all data sharing exercises using formal documentation such as Memoranda of Understanding, Data Sharing Agreements or Data Processing Agreements.</p> <p>As an example of this, the Keeper has been provided with a copy of the West Lothian Council/West Lothian Integration Joint Board Memorandum of Understanding (MOU) on “Sharing of information for the purposes of the integration of health and social care services in West Lothian area.”</p> <p>The Keeper agrees that this MoU considers information governance throughout. For example 'Role of Data Controller' (section 1.9) or 'Records Management and Publication Scheme' (8.7)</p> <p>The Keeper can agree that West Lothian Integration Joint Board properly considers records governance when undertaking information sharing programmes.</p>

West Lothian Integration Joint Board
(Referred to as 'The IJB' in the assessment below)

General Notes on RMP, Including Concerns:

Version

This assessment is on the *Records Management Plan* of the Midlothian Integration Joint Board version 2.0 approved on 24th September 2018 and submitted to the Keeper of the Records of Scotland for his agreement on 7th November 2018 (the *Plan*).

The *Plan* contains a detailed introduction/summary and records management statement (pages 1 – 8).

The *Plan* explains the purpose and principles of records management (pages 6 and 7).

The IJB acknowledge records as a business asset (for example *Plan* Foreword page 7). The Keeper commends this recognition.

The *Plan* mentions the Act and is based on the Keeper's, 14 element Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>.

Third Parties

The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered 'public records' - PRSA Part 1 3 (1)(b). The authority has stated that, currently, it does not contract out any of its functions to third-parties.

Project Officer

The liaison between the IJB and the Council appears to be a Project Officer. The *Plan*/evidence sheet indicates this person has day-to-day responsibility for the management of the 'fileplan' and acts as the named Data Protection Officer for the IJB. The Project Officer is responsible for ensuring the appropriate design, approval and application of appropriate retention schedules for IJB records. The Project Officer is also responsible for ensuring IJB staff have undertaken the appropriate training (*Model Records Management Plan Evidence List* supplied with *Plan* page 30). The Keeper notes that the Project Officer is currently the 'Key Contact' in the IJB for all matters concerning the Act. The Keeper thanks the IJB for explaining this officer's role as it relates to the *Plan*.

6. Keeper's Summary

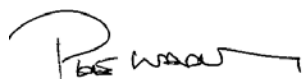
Elements 1 - 14 that the Keeper considers should be in a public authority records management plan have been properly considered by West Lothian Integration Joint Board. Policies and governance structures are in place to implement the actions required by the plan.

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **West Lothian Integration Joint Board**.

- The Keeper recommends that West Lothian Integration Joint Board should publish its agreed RMP as an example of good practice within the authority and the sector.

This report follows the Keeper's assessment carried out by,



.....
Pete Wadley
Public Records Officer

.....
Robert Fotheringham
Public Records Officer

8. Endorsement of Report by the Keeper of the Records of Scotland

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by West Lothian Integration Joint Board In agreeing this RMP, the Keeper expects West Lothian Integration Joint Board to fully implement the agreed RMP and meet its obligations under the Act.



.....
Paul Lowe
Keeper of the Records of Scotland