

Stirling Council

Records and Information Compliance Team

Records Guidance

Vital Records

Vital records are those records deemed to be essential to the running of an organisation and of major importance for enabling business continuity in the event of a disaster. It is important to identify vital records and provide adequate protection for them, as these would be the records used to re-establish the business of the Council in the case of a disaster.

Vital records could relate to the overall running of the Council or they could be specific to the activities of a particular service area. Examples of vital records could include major contracts, social work case files and employee files. They can be stored in any format, such as paper, electronic, microfiche and photographic.

Identifying vital records

To identify vital records it is necessary to think about the following questions:

- What is the function of your service area?
- What records are needed to support this function?
- Could the service area continue to carry out its function without access to these records?

Not all records will be vital records, some may be important but business could continue without them, some could have limited business value but be historically important and other records could be replaceable. It may be difficult to determine whether some records are actually vital or not. In such cases professional judgement and some degree of risk assessment should be used to determine whether to treat the records as vital.

Even vital records are sometimes only vital for a short period of time. Therefore, it is sensible to regularly update any register of vital records to ensure that it is the currently vital records that receive protection.

Protecting vital records

Vital records need to be protected against possible disruptive events such as loss, damage, theft, fire, flood or lack of access. This protection could be offered by addressing potential areas of risk and, for example, employing fire detection and suppression systems, or by simply storing records in suitable containers in suitable areas. When vital records have been identified they should also be detailed in any disaster plan for the service area, to include direct instructions that those records should be given priority in the event of a disaster.

Protecting electronic records can be easier than protecting physical paper records. Saving your records onto your shared drive on the network means that they will be routinely backed-up by the IT department. IT take the extra precaution of storing back-up tapes offsite so that they can still be retrieved in the event of a disaster that

might affect any of the Council's office buildings. It is therefore important to ensure that files are not stored on individual PC hard drives or C:drives, as these are not backed-up and can be lost if the PC breaks down or stops working.

However, there are other ways that service areas can help protect their electronic vital records, e.g. by adding the term 'vital' to their metadata or to folder or document titles. Security measures can also be imposed, such as password protecting some documents.

It should also be noted that vital electronic records may need to be migrated to different formats as the programs they were created in become obsolete. This will be particularly the case for records that are held over the long-term. The Council Archives and the Records Team are working on the issue of preserving electronic records permanently. At the moment, it is considered best practice to migrate records to a new format when they become in danger of being left unreadable. Therefore, you should regularly check any vital records held electronically to make sure their formats are still readable and not in imminent danger of being superseded.

STIRLING COUNCIL RECORDS POLICY

Key Messages

- [Council records](#) are valuable and must be managed as important corporate & cultural assets of Stirling Council, for staff & the wider community
- Council records can be on paper or be electronic, or both, and can be kept within personal, shared or corporate storage environments – none the less they must all be managed in the same way, irrespective of format or location
- Council records need to be accurate, consistent and maintained to be of any value.
- The Public Records (Scotland) Act, 2011, requires us to document & publish our records management responsibilities, policies & procedures for public and governmental scrutiny
- We all have [responsibilities](#) in managing Council records, as we rely on them to do our work (not just for legal or audit purposes) – these are now outlined in this policy
- How we create & manage records needs to be documented in Service or team [procedures](#) throughout the Council, to allow for internal & external review of our practices
- Very few Council records need to be kept indefinitely, with routine records destruction supporting a more efficient organisation, however we have to be consistent & transparent on what we destroy & when by following a standards based [retention process](#)
- Some Council records are central to the basic running of Council services – these are [vital records](#) and must be identified as part of the Council's business continuity planning
- A [Council Records Centre](#) is run by the Records & Information Compliance Team to help you store & manage Council records appropriately
- Stirling Council Archive Service is the designated place of deposit for the historical records of Stirling Council & its predecessors within the Stirling area

1. Purpose

This policy sets out the Council's responsibilities and activities in regard to the management of its records. It governs the management of all records created or acquired on the Council's behalf in the course of Council business.

This policy and [related guidance](#) aims to:

- provide a framework for [good records management practices](#) within Stirling Council that ensure records are managed and retrieved effectively and efficiently
- support the Council in complying with its statutory and regulatory obligations
- ensure Council records are [reliable and authentic](#)
- define [records management responsibilities](#) throughout the Council
- foster a working culture which acknowledges the value and benefits of accurate record creation and effective management
- encourage a leaner Council that retains records for only as long as required for business purposes
- support [public rights of access to information](#) held by Stirling Council, and ensure Council records of evidential and historical interest [remain accessible](#) to the wider community

1.1 Definitions

Council Records are defined as;

- recorded information in any format (including paper, microform, electronic and audio-visual formats),
- which are created, collected, processed, and/or used by Stirling Council employees, Elected Members when undertaking Council business, or predecessor bodies (e.g. Central Region Council, Stirling District Council, County of Stirling)
- and which is then kept as evidence of that business.

Records management is defined as an ongoing process that helps make the creation, use, management and disposal of records more consistent, efficient and accountable.

2. Scope

This Council wide policy and related guidance applies to all staff, Elected Members when performing Council business, and third parties (i.e. contractors, consultants, voluntary and not for profit organisations) performing a public function for Stirling Council.

3. Legislation

Stirling Council has to comply with numerous statutes, regulations and instruments at Scottish, UK and European levels that cover the creation and management of records. These collectively span across all functions of a Scottish Local Authority. The common theme is the implicit expectation or explicit requirement that these records are to be managed appropriately and transparently.

Key pieces of statute in relation to the management of records are:

Public Records (Scotland) Act 2011 requires public authorities to detail their records management policies, procedures and responsibilities in a Records Management Plan, which is subject to review by the Keeper of the Records of Scotland.

Freedom of Information (Scotland) Act 2002 provides a public right of access to information held by Stirling Council. Under Section 61 of the Act, Scottish Ministers have issued a Code of Practice on Records Management which outlines the approach public authorities must follow in relation to the creation, keeping, managing and disposal of their records.

Data Protection Act 1998 governs the processing, retention and protection of personal information within the Council. The Act requires personal information to be recorded accurately, maintained, kept only as long as is necessary and be accessible by the Data Subject.

4. Policy

4.1 Summary

Council records are sources of administrative, evidential and historical information necessary for the effective functioning and accountability of the Council. Over time they will provide valuable evidence and understanding of the community it serves.

The management of Council records is the responsibility of all staff – Heads of Service, Service managers, team leaders, administration support, front line and specialist staff.

In implementing this policy, Council Services will have to create and document;

- Procedures on how to adequately capture information and evidence of business activity within records as well as how to manage these records subsequently
- Retention rules for the records of every business activity they perform
- Record keeping systems and structures for both paper and electronic records that provide the appropriate levels of access, security and management

4.2 Roles and Responsibilities in regards to Council records

The **Chief Executive** is ultimately responsible to the Elected Council for the records and records management practices undertaken within Stirling Council. They are also responsible for the management of Stirling Council's records under section 1(2a) of the Public Records (Scotland) Act, 2011.

All Heads of Service have a general responsibility within the Scheme of Sub-Delegation (G53) to ensure that records within their Service are managed according to statutory responsibilities and Council policies. They must do this by

- issuing and reviewing of records management procedures within their teams
- nominating a **Service Information Officer**, who will act as a monitor of those procedures and relevant retention schedules and as a liaison with the Records & Information Compliance Team on records related projects and issues
- ensuring contracts with third parties performing a public function contain appropriate clauses on expected records management behaviour

The **Chief Governance Officer** has the responsibility to authorise, in conjunction with each Head of Service, retention schedules that define how long records should be retained and what should happen to them subsequently. The officer is also responsible for reporting to the Elected Council any significant or ongoing information risks or records management failings within Stirling Council.

Service Managers have a responsibility to ensure that staff are aware and confident of Council records management policies, procedures and guidance.

Employees have a responsibility to ensure they create, manage and dispose of records in accordance with relevant policies and procedures.

Elected Members have the same responsibility to manage and dispose of records created in their role as representatives of the Council according to relevant policies and procedures.

Third parties (i.e. contractors, consultants, voluntary and not for profit organisations) performing a public function for Stirling Council must also adhere to this records policy and relevant records management procedures of the Council when creating and managing records relating to that public function. They must retain these records according to relevant Council retention periods and allow access to them and their records management systems to relevant Council staff.

The **Records & Information Compliance Team** is responsible for providing advice and support to Council Services on the management of their records. They are also responsible for the Council's central Records Centre.

The **Council Archives Service** is the designated place of deposit for council records required for permanent preservation, whether for business or cultural purposes. It is

responsible for preserving, promoting and making accessible these records, and other historical records that may be acquired by the Council.

4.3 Arrangements for Council Records

Creation

Stirling Council employees must create accurate records to accompany their work in order to provide authentic and reliable evidence of Council business, as well as to document cultural and community activity within the Stirling Council area. Employees should be aware of any procedures on records creation and authorisation that have been developed by their team.

Records in use

Council records must be managed in effective record keeping systems that allow the efficient retrieval of information to support business requirements and public rights of access. This requires procedures to be developed for each business activity within a team, detailing how records are to be filed and maintained. These procedures need to be documented, approved, disseminated and regularly reviewed by teams for their own use, with support and guidance from the Council's Information Management Group.

Storage

Storage of Council records must be secure to prevent unauthorised access, must meet fire and health and safety regulations, and ensure continued access to records over time.

Electronic records should be stored on the Council's IT network in structured shared drives that conform to the Council's File Plan, or in valid electronic record keeping systems.

All business units must identify vital records as part of their Business Unit Recovery Plans.

Records no longer needed for immediate or routine use should be sent to the Council's central Records Centre for storage and management.

Retention and Disposal

The Council is required to develop retention schedules, according to which Council records must be routinely disposed.

These schedules will take account of statutory, regulatory, business and historical requirements, and will be drafted by the Records & Information Compliance Team in conjunction with each Service.

The Chief Governance Officer and the relevant Head of Service must sign off a schedule for it to be authorised and applied.

Changes to retention schedules (e.g. the delaying or bringing forward of the destruction of records) will need documented approval from both the relevant Head of Service and the Chief Governance Officer.

Records containing personal or confidential information must be destroyed securely, and a log must be kept of all record disposals in compliance with the Council's Personal Data Policy.

No Council record may be destroyed – even routinely – if a request for access to the information contained within that record under the Freedom of Information (Scotland) Act 2002 is still active.

Selection and Transfer to Archive

Council records identified as having evidential or historical value are to be transferred to the professional care of Stirling Council's Archive Service for permanent preservation after they have ceased to be of business use.

Records from Stirling Council's predecessors (e.g. Stirling District Council, Stirling County Council, civil parishes etc.) must also be transferred to the Archive Service.

The Archive Service is responsible for maintaining the selection criteria for permanent preservation of council records, to be developed in conjunction with its overall Acquisition Policy.

Preservation and Access

Council records in the care of the Archive Service will be stored, arranged, described, indexed and made accessible in accordance with professional archival standards and recommendations.

The Archive Service is responsible for ensuring that the records in its care are best exploited for use by the community and by the Council.

Electronic Record Keeping Systems

Council business systems that hold electronic records must be configured to ensure they create, maintain and dispose of those records in compliance with statutory requirements and professional standards. The Council's Information Management Group is responsible for issuing and maintaining guidance on electronic record keeping systems to support managers in acquiring and using appropriate systems.

5. Implementation

This policy is supported by additional policies, procedures and guidance produced by the Council's Information Management Group.

Records management procedures will be developed for business activities within teams by Team Leaders to embed good practice and requirements into record creation and management practices. These should be routinely reviewed and approved by the relevant Head of Service.

The Records & Information Compliance Team will draft retention schedules for each Service in consultation with the Head of Service. Once finalised, the Head of Service and the Chief Governance Officer will sign off on the schedule.

The team will also provide training and toolkits to support managers in developing appropriate procedures as well as general training for all staff to ensure awareness of obligations and responsibilities towards Council records.

6. Monitoring

The Records & Information Compliance Team will conduct rolling and periodic reviews of records management procedures and compliance with this Policy within teams.

Separately, Council business systems that create and manage electronic records will be subject to assessment to identify and help manage any information risks. Results of these assessments will be reported to system owners, as well as to the Information Management Group.

7. Enforcement

Failure to comply with this policy and related procedures will be reported to the Information Management Group to resolve in conjunction with the relevant Head of

Service. The Chief Governance Officer will report significant or ongoing failings to the Governance & Audit Committee of the Elected Council.

The Council may also be subject to external review by the Keeper of the Records of Scotland on its records management policies and practices, as per Section 6 of the Public Records (Scotland) Act 2011.

Element 10: Business Continuity and Vital Records

Introduction

Stirling Council and Stirling Licensing Board are expected to have arrangements in place to support records vital to business continuity, and to ensure that records are accessible in the event of an emergency.

Statement of Compliance

Stirling Council has an overarching Business Continuity Management Corporate Strategy & Framework which governs its business continuity arrangements (**Evidence 50**).

Each Council business unit has its own Business Unit Recovery Plan which covers the identified critical processes of each individual area, and contains information for dealing with absence or shortage of any of the following resources required by the processes: Building, Employees, IT including data, Telephony, Equipment, Materials (**Evidence 51**).

The Records & Information Compliance Team has produced guidance on Vital Records which can be used by business units to identify records to be detailed in their Recovery Plan (**Evidence 52**).

In addition, the Records Register is intended to capture relevant rules and information about all the types of records held by the Council, including whether or not they are regarded as “vital”. The Register of Records is work in progress, and will be used to monitor implementation of the Records Management Plan. An extract is attached (**Evidence 9**).

Most Council records are held in electronic format. The Council has arrangements for regular backup of information held on council networks (**Evidence 53**) and an Information Technology Disaster Recovery plan to ensure that, if lost, information can be recovered (**Evidence 54**).

Council services which require access to vital electronic records in the period before the IT Disaster Recovery Plan can recover information should document local arrangements in their Business Unit Recovery Plan. For example, the Records Centre makes a regular back-up of its Inventory to ensure continued access to information in the event that there is no access to information on the council network (**Evidence 55**).

In relation to paper record, the Records Centre and Stirling Council Archives have an Incident Control Plan which deals with the prevention of damage, and reaction to any incident involving paper records. This plan can also be used as the basis for incidents involving paper records in offices (**Evidence 56**).

Stirling Council has a subscription to the Harwell Priority User service (Priority User no. 317) which can be used to provide immediate assistance in the event of an incident, or to recover and restore records (**Evidence 57**).

Assessment and Review

Further work is needed to ensure that all services identify vital records in their Business Unit Recovery Plan, and to ensure that information risks are considered regularly by the Council's Information Management Group.