Records Management Policy

November 2023

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1 Introduction

1.1 Education Scotland is the key national agency for promoting improvement in the quality and effectiveness of education. We are accountable to Scottish Ministers but have a high degree of operational independence to ensure we can deliver on our objectives with maximum impact. Our corporate plan sets out an ambitious strategy for improving education in Scotland.

1.2 Education Scotland recognises that effective management of our records is essential in order to: support the delivery of our strategic objectives and corporate plan; comply with legal, statutory and regulatory obligations; and to demonstrate transparency and accountability to all of our stakeholders.

1.3 Records are a vital information asset and a valuable resource for the organisation's decision-making processes, policy creation and operation, and must be managed effectively from the point of their creation until their ultimate disposal.

1.4 Education Scotland's approach to information and records management is underpinned by the following six key principles.

- **Information is a corporate resource:** Education Scotland's information is a corporate resource.

- **Personal responsibility:** everybody is personally responsible for the effective management of the information they create, use or share.

- **Information accessibility:** we make our information accessible to others to support collaboration except where there is a specific and agreed reason not to.

- **Keeping records:** we retain details of the decisions made on behalf of Education Scotland.

- **Ensuring information is accurate and fit for purpose:** we ensure that the information we create on behalf of Education Scotland is accurate and fit for purpose.

- **Compliance with statutory and regulatory requirements:** we ensure that our information management practices comply with all statutory and regulatory requirements.

2 Purpose

2.1 The purpose of this policy is to define Education Scotland's commitment to creating and managing information and records efficiently, making them accessible where possible, protecting and storing them securely and disposing of them safely at the right time.

2.2 The policy acts as a mandate for the continued development, implementation and review of records management standards, procedures and guidelines

through Education Scotland's records management plan which will ensure that Education Scotland:

- creates and captures **accurate, authentic, complete** and **reliable** records;

- maintains records that **comprehensively** meet our business needs;

- ensures that records are **accessible** when needed;

- keeps records **securely** and disposes of those that are no longer required in an appropriate manner;

- **complies** with legal and statutory requirements and government directives.

2.3 The policy should be read in conjunction with Education Scotland's records management plan.

3 What does this policy apply to?

3.1 The policy applies to **all records** regardless of format or medium created, received or maintained by Education Scotland staff in the course of carrying out their functions.

3.2 A document is any piece of written information in any form, produced or received by an organisation or person. It can include databases, websites, emails, electronic files, letters, and memos. Some documents will need to be kept as evidence of business transactions, routine activities or as a result of legal obligations, such as policy documents. These should be placed into an official filing system and at this point, they become records.

3.3 **What is a record?** ISO 15489 describes records as 'information created, received and maintained as evidence and/or information by an organisation or person, in pursuance of legal obligations or in the transaction of business'. A record is a piece of recorded information or a document, regardless of format, which facilitates the activities and the business carried out by Education Scotland and which is then retained for a set period to provide evidence of a transaction or decision. A record should correctly reflect what was communicated or decided or the action that was taken. It should be able to support Education Scotland's business needs and be used for accountability purposes. Examples of types of record include: documents (including written, typed or annotated copies), paper file, photographs, electronic files (including word documents, databases, spreadsheets and presentations), email messages and publications.

4 Who does this policy apply to?

4.1 This policy applies to **all Education Scotland staff**.

4.2 All employees of Education Scotland have a responsibility to effectively manage records in accordance with specified legislation and guidelines. This policy and the supporting standards, procedures and guidelines applies to all staff, including those who are mobile working, working off site and

working within joint partnerships, permanent and temporary employees, volunteers, contractors and those on secondment or work experience placements.

5 Why do we need to manage records?

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

5.2 Effective records management helps us to meet our statutory obligations and responsibilities as an Agency of the Scottish Government by:

- supporting independent evaluative activity and our capacity to provide evidence-based advice;

- helping us to make informed, evidence-informed decisions;

- supporting efficiency and consistency in management and administration;

- keeping track of changes to advice, guidance and policy and supporting our corporate memory;

- ensuring we comply with relevant records/information legislation; and

- protecting the rights of employees and stakeholders.

5.3 The benefits of implementing records management systems and processes include:

- improved information sharing and the provision of quick and easy access to the right information at the right time;

- the support and facilitation of more efficient service delivery;

- improved business efficiency through reduced time spent searching for information;

- demonstration of transparency and accountability for all actions;

- the maintenance of the corporate memory;

- the creation of better working environments and identification of opportunities for office rationalisation and increased mobile working;

- risk management in terms of ensuring and demonstrating compliance with all legal, regulatory and statutory obligations; and

- the meeting of stakeholder expectations through the provision of good quality services.

6 Statutory and government requirements

6.1 This policy takes account of the need for Education Scotland, as an Agency of the Scottish Government, to adhere to the principles of the [Public Records (Scotland) Act 2011](#). The policy is one element of Education Scotland's records management plan which, as a requirement of the Act, is submitted to the Keeper of the records of Scotland, [National Records of Scotland](#) (NRS) for his agreement.

6.2 This policy considers the impact of key legislation including the Data Protection Act 2018 (DPA), UK GDPR and Freedom of Information (Scotland) Act 2002 (FOISA) and the advice of the [Information Commissioner for Scotland.](#)

6.3 It also considers the UK Government Protective Marking Scheme and the Government's Security Classification Policy introduced from April 2014 and takes account of advice from Scottish Government Records Management Branch, Scottish Government Freedom of Information Unit and NRS.

6.4 This policy will also facilitate compliance with the Equality Act 2010, UK Statistics Authority - Code of Practice for Official Statistics and The Environmental Information (Scotland) Regulations 2004.
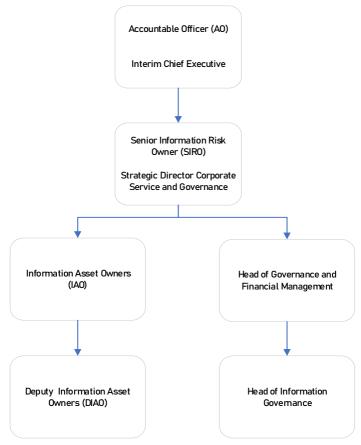
7 Records management and the Corporate Plan

7.1 **Records management** is defined as the process whereby an organisation manages its records, whether created internally or externally and in any format or media type, from their creation or receipt, through to their destruction or permanent preservation. Records management is about placing controls around each stage of a record's lifecycle, at the point of creation (through the application of metadata, version control and naming conventions), during maintenance and use (through the management of security and access classifications, facilities for access and tracking of records), at regular review intervals (through the application of retention and disposal criteria), and ultimate disposal (whether this be recycling, confidential destruction or transfer to the archive branch for permanent preservation). By placing such controls around the lifecycle of a record, we can ensure they demonstrate the key attributes of authenticity, reliability, integrity and accessibility, both now and in the future. In managing records, Education Scotland is committed to ensuring:

- information and records are appropriately ordered and readily accessible;

- materials are clearly annotated as required as part of the corporate record;

- only current, relevant and consistent material is sorted and stored;

- all materials generated within Education Scotland are retained only for as long as there is an operational or legislative need to do so;

- good practice in maintaining records; and

- records are preserved if there is a specific reason to do so.

7.2   The corporate plan sets out clear ambitions for us to support the system through best use of evidence. Education Scotland's Corporate Performance Team provide support to build the organisations capacity and capability for using knowledge, evidence and data to make informed policy decisions in support of the corporate plan.

7.3   Education Scotland's records are a form of corporate memory store in which we can accumulate knowledge about our operations over time. When records are properly managed they can be mined as a rich source of information and, over time, will provide information about trends. This information can then be used to inform services which are underpinned by robust evidence and data. By doing so, effective records management contributes to the delivery of Education Scotland's strategic objective for best use of evidence.

8   Roles and responsibilities

8.1   Education Scotland has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The Leadership Team, chaired by the Accountable Officer has overall responsibility for Education Scotland's records management policy and for the continued development, implementation and review of supporting standards, procedures and guidelines.

8.2   The senior manager with Education Scotland with overall strategic responsibility for records management is the Strategic Director for Corporate Services and Governance. The key function in Education Scotland with responsibility for records management, is the Governance and Information Team. They are supported on some aspects of this by Digital Services.

8.3   The senior manager with overall responsibility for this policy is the Head of Governance and Financial Management. This responsibility includes ensuring: the development and implementation of the records management plan, including this policy and supporting standards, procedures and guidelines; the identification of corporate resource requirements; and decisions on the storage of Education Scotland records. The Head of Governance and Financial Management is supported in this by the Head of Information Governance.

8.4   The Head of Information Governance advises on procedure and best practice to support compliance with this policy.

8.5   Education Scotland is committed to ensuring that a clear records management governance structure is established and developed to ensure that it is fit for purpose and that sufficient resource is allocated. Our records management governance structure is outlined in Figure 1 below.

Figure 1: Records management plan governance framework

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                    ┌──────────────────────────┐
                    │  Accountable Officer (AO) │
                    │                           │
                    │  Interim Chief Executive  │
                    └──────────────────────────┘
                                 │
                                 ▼
                    ┌──────────────────────────┐
                    │ Senior Information Risk   │
                    │      Owner (SIRO)         │
                    │                           │
                    │ Strategic Director        │
                    │ Corporate Service and     │
                    │ Governance                │
                    └──────────────────────────┘
                     │                      │
          ┌──────────┘                      └──────────┐
          ▼                                            ▼
┌──────────────────────┐              ┌──────────────────────┐
│ Information Asset     │              │ Head of Governance    │
│ Owners (IAO)          │              │ and Financial         │
│                       │              │ Management            │
└──────────────────────┘              └──────────────────────┘
          │                                      │
          ▼                                      ▼
┌──────────────────────┐              ┌──────────────────────┐
│ Deputy Information    │              │ Head of Information   │
│ Asset Owners (DIAO)   │              │ Governance            │
└──────────────────────┘              └──────────────────────┘
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8.6   Education Scotland owns all records that are created by its employees carrying out activities on behalf of Education Scotland. Individual employees do not own records but do have responsibilities for managing records that they create, use or share.

8.7   The Strategic Director for Corporate Service and Governance is the Senior Information Risk Owner (SIRO). The SIRO is responsible for ensuring that records management practices and procedures are established in line with all legal obligations and standards, issuing advice and guidance to all staff of Education Scotland, establishing and liaising with Information Asset Owners (IAOs) in line with this policy.

8.8   Education Scotland Strategic Directors are IAOs and have overall responsibility for the management of records generated by their Directorate's activities. They are responsible for ensuring that records are created, received and controlled; and that systems (electronic or otherwise) and procedures are managed and quality assured in line with the Policy. This includes identifying and allocating sufficient resources to this responsibility. Strategic Directors are assisted in managing their records by Deputy Information Asset Owners, Business Partners, Business Managers, Business Support Assistants and our Information Management Support Officers.

8.9 Managers at all levels are responsible for ensuring that records within their team are created, received and controlled; and that systems (electronic or otherwise) and procedures are managed in a way which meets the aims of this policy. Managers are responsible for ensuring sufficient team resources are dedicated to this and for undertaking quality assurance of team records management processes and practices.

8.10 While Education Scotland owns the information created and held in its name, responsibility for the standard, accuracy and completeness of how this information is managed and used on a daily basis lies with individual staff. This means that individuals are responsible for ensuring that the information they create or receive is managed appropriately. All employees of Education Scotland (permanent and temporary), contractors, consultants and secondees must ensure that they are familiar, and comply with, this policy and supporting standards, procedures and guidelines.

9 Corporate record keeping systems

9.1 We are required to keep records of what we do. It is critical that records of decisions and actions are complete and accurate. Education Scotland must be able to provide a full history of its decisions and actions and these must be accessible to those within (and, potentially, outside) the organisation who may reasonably require them. Full records might be needed for a number of reasons, such as demonstrating the chain of events and decisions that led to a particular course of action or to respond to requests for information. This means that details relevant to decisions or actions, including e-mails and notes that are needed to complete the 'story', are retained for an appropriate period (see section 10 below) and can be retrieved if required. Education Scotland records are stored and maintained within the Scottish Governments Electronic Records and Document Management System (eRDM).

9.2 Legacy records in relation to evaluative activity, and some central office functions are paper based. These records have formal retention schedules applied to them. Searches can be conducted on information such as file titles, owners, locations and themes, but not the contents.

10 Retention and disposal

10.1 Information and records shall be retained only as long as they are required to support the Education Scotland in its business requirements and legal obligations. At the end of that time, the records will either be appropriately destroyed or transferred to NRS for permanent preservation.

10.2 Education Scotland recognises that retention schedules are the key to effective records management: they set out the recommended periods for which particular classes of records should be retained in accordance with legal, audit and operational requirements. Retention schedules provide a formalised, accountable system for the retention and disposal of records, and can help to save time, money and space by ensuring that information is not kept unnecessarily.

11 Information security

11.1 Information security is intrinsically linked with records management.

11.2 Under the Government Security Classification Policy, all of Education Scotland's information falls under the official tier. The main types of information used by Education Scotland includes:

- **non-sensitive data:** a large proportion of Education Scotland 's information is non-sensitive, and includes for example educational development material, which is research-based and focused on educational good practices;

- **business sensitive data:** such information requires to be managed in such a way that the timing and method of its release are carefully controlled;

- **personal data:** Education Scotland holds and processes some personal data, including sensitive personal data. Specifically, this includes standard employee information and pupil data held by Scottish Government and accessed directly by the statisticians in Education Scotland. All of this personal data is held on Scottish Government's IT system (SCOTs).

- **financial and commercial data**: Education Scotland's financial system is provided by Scottish Government.

11.3 All Education Scotland staff are responsible for ensuring that they understand and comply with: the Government Security Classification Policy and how to protect records using security markings; their responsibilities under the Data Protection Act for handling records about named individuals; and their responsibilities for compliance with information security procedures.

11.4 Each year, all Education Scotland staff must complete the Scottish Government e-learning packages about protecting information.

12 Implementation and review

12.1 Compliance with this policy and related standards and guidance will be monitored by the SIRO in consultation with IAOs. Regular reports will be submitted to the Leadership Team and updates will be disseminated to all colleagues via the Education Scotland's intranet.

12.2 This policy will be reviewed annually to ensure compliance with the Public Records (Scotland) Act 2011 and to take account of any new or changed legislation, regulations or business practices.