

ITEM 3.2: RECORDS MANAGEMENT PLAN

Purpose

1. To draw members' attention to the Records Management Plan for the Council and its committees.

Discussion

2. A Records Management Plan (RMP) for the Scottish Civil Justice Council (SCJC) and its committee has been produced with reference to the Scottish Ministers' Code of Practice, guidance produced by the Scottish Information Commissioner and the Keeper and having consulted the Office of the Scottish Information Commissioner. The RMP has also been prepared with regard to the records managements arrangements applied by the Scottish Court Service.
3. At the SCJC Meeting on 13 January 2014 the members adopted the Records Management Plan [**Paper 3.2A**].
4. Members may wish to note the following features of the plan:
 - **Preservation and archiving** (paras. 6-11 and Annex A) – the preservation and retention schedule at Annex B sets out the records which will be routinely destroyed, which will be sent to National Records of Scotland (NRS) for preservation and the applicable timescales for doing so. Records for preservation include meeting papers, appointments, draft rules and policy papers including any supplementary documentation, records outlining decisions/recommendations of the SCJC, financial records, liaison with external agencies (eg government or parliament), requests for information, research, consultation responses (by or to the SCJC), and records on corporate governance and policies. The appropriate access to records will be considered prior to them being sent to NRS for preservation (e.g. records containing personal information would be

marked as subject to exemption and therefore not be subject to public access).

- **Destruction Arrangements** (paras. 12-16): the SCJC will adhere to the arrangements for records that are in place within the SCS. The Secretariat will make arrangements for disposal of documents in the possession of SCJC or committee members where necessary.
- **Records review** (paras. 17-19): a procedure for reviewing files for the purposes of determining whether they should be destroyed, retained or preserved is set out. The procedure is in line with that used by the SCS and government departments.
- **Information Sharing** (paras. 20-22): the Lord President's Private Office (LPPO) provides legal advice to the SCJC and to the judiciary. The SCJC and LPPO will share files where appropriate to avoid duplication and to assist the SCJC to meet its obligations under FOISA. Where legal advice is routinely provided, LPPO will maintain corresponding files where relevant records will be stored in accordance with legal and professional obligations.
- **Filing** (paras. 23-24): while the physical files will remain the official corporate record, electronic 'back up' files will be maintained in order to facilitate the easy retrieval of information.
- **Protective markings** (paras. 25-28 and Annex B): the protective markings for documents are those that are used widely across the public sector. While extremely unlikely, any SECRET or TOP SECRET documents held by the SCJC would be held in accordance with SCS procedures.
- **Responsibilities of SCJC and committee members and staff** (paras. 29-30): these set out principles of good records management practice which should be observed. These are intended to complement the obligations set out in the SCJC Standing Orders.

- **Reporting Procedures** (paras. 33-34): any incident which might compromise the confidentiality, integrity or availability of information will be reported internally as soon as discovered and reported to the Secretariat, which will report significant incidents to the Chairman.

Recommendation

5. **Members are invited to note the Records Management Plan contained in Paper 3.2A.**

**Scottish Civil Justice Council - Secretariat
February 2014**