

# Registers of Scotland

## Records Management Policy

### May 2019

#### Purpose and scope

1. This policy sets out the commitment of the Keeper of the Registers of Scotland (RoS) to exercise best-practice in the management of records.
2. This policy governs all records created, collected and managed by RoS as evidence of its functions and activities. Whilst this does not include its registers themselves, which are governed separately by statute<sup>1</sup>, it does include records which facilitate the completion of registers, and which evidence the organisation's wider corporate functions and commercial activities. RoS therefore applies best practice by default when managing records.

#### Records management

3. Records are recorded information, in all formats and media, which:
  - evidence strategic and operational decision-making, or
  - evidence corporate governance, accountability and statutory or regulatory compliance, or
  - constitute the corporate memory of the organisation

Not all information will constitute a record; information must possess at least one of these necessary qualities to be understood as a record<sup>2</sup>.

4. Records can include:
  - Individual electronic objects, datasets, code, emails, internet and intranet pages, social media content, audio or video recordings, and paper
  - Information held on RoS' own systems and storage, as well as information which RoS stores and processes on service platforms (such as cloud-based services, social media accounts etc)
  - Information which RoS collects or creates for itself, or which it collects from, or creates on behalf of, its stakeholders and customers

#### Policy statement

5. RoS will create and manage authentic, reliable and useable records, in order to:
  - Support evidence-based decision-making
  - Deliver the core functions and activities of the organisation
  - Meet its strategic and policy objectives
  - Ensure fulfilment of its statutory and regulatory obligations
  - Support accountability, transparency and public trust
6. To achieve this, RoS will ensure that its records are:
  - Managed appropriately throughout their lifecycle
  - Created and used in ways which ensure their quality and value as evidence
  - Accessible to those who need them in a timely manner
  - Protected appropriately from unauthorised access, loss or damage
  - Retained for the appropriate amount of time
  - Destroyed securely and definitively or transferred to a suitable location for long-term preservation

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<sup>1</sup> See, for example, Land Registration (Scotland) Act 2012.

<sup>2</sup> Typically, *records* are distinguished from *documents*, which have ephemeral value and do not constitute evidence of decision making, governance, accountability, compliance or corporate memory. For a fuller description, see the glossary attached.

7. RoS therefore undertakes to:
- Clearly articulate the responsibilities of all colleagues, stakeholders and customers to them
  - Operate effective procedure to ensure policy is reflected in practice
  - Empower colleagues through relevant support, training and guidance
  - Meet applicable standards, guidelines and best practice wherever possible
  - Monitor and regularly review achievement of these goals
  - Take necessary action to improve performance

### **Roles and responsibilities**

8. All staff have responsibilities for records management, are bound by the commitments of this policy, and are required to effectively operate the various operational procedures which facilitate its fulfilment in practice.
9. Local information managers/representatives will be supported by the Risk and Information Governance function to promote effective records management and improvement locally.
10. RoS Records Manager has operational responsibility for records management within RoS on a day-to-day basis. The Records Manager is responsible for ensuring that the procedures and training which support the fulfilment of the policy are operated effectively and kept up-to-date.
11. RoS Operations Director and Accountable Officer has strategic oversight and overall accountability for records management within RoS. She works with RoS Executive Management Team to ensure that the commitments given in this policy are met, and that the records management function is appropriately resourced and accounted for within the wider governance of the organisation.

### **Awareness and Guidance**

12. RoS will ensure that all its staff understand their roles and responsibilities for records management and that they possess the knowledge and skills required to discharge these effectively.
13. Where customers and stakeholders have a role in helping RoS to achieve effective records management, it will communicate appropriately and proportionately with them to help them understand and meet its expectations.
14. Appropriate guidance will be produced as necessary to support effective records management in areas including:
- Creation and capture of records
  - Control of access to records
  - Arrangement and classification of records
  - Tracking and auditing of records
  - Storage and retention of records
  - Disposal and transfer of records

### **Law, regulation and standards**

15. This policy compliments the following relevant law, regulation and standards with which RoS complies:
- [Public Records \(Scotland\) Act 2011](#)
  - [EU General Data Protection Regulation](#) and [Data Protection Act 2018](#)
  - [Freedom of Information \(Scotland\) Act 2002](#) & [Section 61 Code of Practice on Records Management](#)
  - [ISO 27000 series, Information Security Management Systems \(ISMS\) standards](#)
  - Annex B lists statutes from which the Keeper of The Registers powers and duties are conferred

### **Review and improvement**

16. This policy will be reviewed by the RoS Information Assurance Group at two year intervals, unless earlier review should be appropriate.
17. The operational procedures and training which support its fulfilment will be continuously reviewed as appropriate and will be updated in a timely manner by the Records Manager.

<b>Signed</b>	Janet Egdell, Operations Director and Senior Information Risk Owner
<b>Signed</b>	Alison Kendall, Information Governance Service Manager
<b>Approved</b>	Information Assurance Group, 16 <sup>th</sup> May 2019
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#### **Version control**

Version	2.0
Date	May 2019
Amended by	Alison Kendall
Date for next review	May 2021

## **Annex A – Glossary of Key Terms**

**Classification** – The process of designating an information object as subject to certain management requirements – for example, identifying that an object requires a particular type of security protection, or has a particular legal status. Often used to describe the grouping of like objects together in a schematic or structural representation of business functions or organisational units (a 'business classification scheme').

**Content** – Information comprising the subject matter of an information object, as distinct to its properties ('metadata'). Also used to describe information created for the purpose of online communication, such as internet or intranet pages.

**Declaration** – The process by which a document becomes a record – a defining point in the information lifecycle where the status of the information object changes in an irreversible way. Prior to declaration, a document can be amended and changed as part of the business process. After declaration as a record, no further change is possible and the record automatically comes under the control of the appropriate management requirements (for example how long it is to be retained).

**Document - An object (virtual or physical) in which information is recorded. Typically comprising both content information and metadata information elements. May or may not become a 'record', depending on its evidential value. Often with management requirements which can be met informally.**

**Lifecycle** – the complete existence of an information object, from the moment it is created until the moment it is definitively destroyed. Sometimes described as commencing even before the point that an information object exists, when consideration is given to its management requirements prior to its creation. Can comprise earlier phases where an object exists as a document, and later phases where an object exists as a record. A small proportion of records will subsequently enter a final (perpetual) phase and become archives.

**Metadata** – Information comprising the properties of an information object, as distinct from its content (see 'Content'). Described as 'elements', individual properties are most commonly present in the form of an object name, a creator or author, a date and time of creation, a size, and a format, but can extend into many thousands of properties. Some information objects are comprised entirely of metadata.

**Preservation** – The process of ensuring the integrity, accuracy and accessibility of information objects in the long-term, having account for the risks which the object faces to these qualities remaining present (for example physical degradation, digital obsolescence, dependency on redundant technology, corruption, etc).

**Record** – **A document which develops sufficient evidential value to warrant the application of particular management requirements. Evidences decision making, governance, accountability, compliance or corporate memory. Requires management in a formal sense.**

**Records Management** – The discipline associated with the identification, capture and maintenance of records.

**Retention** – The process whereby an information object is maintained for a specific period of time, based on its evidential value. Retention 'periods' (the amount of time for which an object is retained) are formalised in policy and determined by both business need for the information, by any relevant statutory or regulatory requirements, and by any long-term archival value.

## **Annex B – Legislation providing a statutory background for the functions of the Keeper**

Land Registration etc. (Scotland) Act 2012  
Crofting Reform (Scotland) Act 2010  
Nature Conservation (Scotland) Act 2004 (Section 22)  
Agricultural Holdings (Scotland) Act 2003  
Land Reform (Scotland) Act 2003  
Public Finance and Accountability (Scotland) Act 2000  
Scotland Act 1998 (section 38(1))  
Register of Sasines (Scotland) Act 1987  
Civil Jurisdiction and Judgments Act 1982  
Land Registration (Scotland) Act 1979  
Public Registers and Records (Scotland) Act 1948  
Conveyancing (Scotland) Act 1924  
Judgments Extension Act 1868  
Land Registers (Scotland) Act 1868  
Titles to Land Consolidation (Scotland) Act 1868  
Act of Sederunt 10 July 1811  
Public Records (Scotland) Act 1809  
The Registration Act 1617 c.16