

RECORDS MANAGEMENT PLAN

Changing for children and young people



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION

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Introduction

The Public Records (Scotland) Act 2011 (PRSA) requires that all authorities listed in the Schedule to the PRSA must¹:

- Prepare a records management plan which sets out the arrangements it has in place for managing its records;
- Submit this plan to the Keeper of the Records of Scotland for agreement; and
- Ensure that its records are managed in accordance with the plan as agreed by the Keeper.

For the Scottish Children's Reporter Administration (SCRA) this includes all records created, received, accessed, shared and disposed of by the Principal Reporter, SCRA staff and Board members.

SCRA is at centre of the Children's Hearings System and most of the records held relate to children and young people referred to the Children's Reporter and Children's Hearings. SCRA's statutory responsibilities to administer Children's Hearings require that information is sent to Children's Panel Members, young people and their parents. In 2013-14 - 36,200 Children's Hearings and 5,601 Pre Hearing Panels were held². The sensitivity and volume of information managed by SCRA presents administrative challenges and risks. Compliance with the Data Protection Act 1998 (and associated legislation³) and information security are therefore essential in how SCRA operates to ensure the safety and protect the rights of children, young people and their families.

Our records are a valuable asset and must be managed effectively, shared appropriately, and protected. Information is essential to support the functions of both the Principal Reporter and SCRA, and to comply with our regulatory and statutory obligations. As a public body, our records must also demonstrate the transparency and accountability of our actions and decisions. The Principal Reporter and SCRA strive for the highest standards in the management of information.

This Records Management Plan sets out the arrangements in place for managing records, in line with the 14 elements identified within the Keeper's Model Records Management Plan. Key evidence in support of each element is listed throughout this Plan, and these documents are provided to the Keeper. In addition, details of on-going and future improvement activities on each element are described with supporting evidence. Key roles and responsibilities have also been identified and named, as required by the PRSA .

¹ Section 1(1) of the Public Records (Scotland) Act 2011

² SCRA (2014) Annual Report 2013-14

³ Children's Hearings (Scotland) Act 2011, Human Rights Act 1998, Freedom of Information (Scotland) Act 2002, common law duty of confidentiality

Element 1: Senior management responsibility

Purpose: To identify the individual at senior level who has overall strategic responsibility for records management on behalf of the Principal Reporter and SCRA.

A compulsory Element of the PRSA.

Statement of compliance

The senior manager with responsibility for records management on behalf of the Principal Reporter and SCRA is Malcolm Schaffer, the Head of Practice & Policy, who is also the Senior Information Risk Owner (SIRO).

The Head of Practice & Policy recognises that records management is an important corporate responsibility and ensures it is given the relevant priority across the organisation. He is the director responsible for information governance on the Executive Management Team and Audit Committee. He also chairs the Information Governance Leads Group, and meetings of the Information Asset Owners (IAOs).

At Locality level within SCRA, the Locality Reporter Managers have operational responsibility for information governance.

Andrew Menzies, Board Member, has lead responsibility for information governance on SCRA's Board.

Evidence of compliance

The primary evidence to be submitted in support of Element 1:

- Malcolm Schaffer – supporting statement to confirm he endorses the authority's record management policy ([Appendix 1](#))
- [Locality Reporter Manager Job Description](#)
- [Board functional responsibilities](#)

Supporting evidence to be submitted:

- [Information Governance Policy](#)
- [Records Management Policy](#)
- [Case Information Policy](#)
- [SCRA Information Asset Owners](#)
- [IG Leads Working Group](#)

Improvement planning

Strategic responsibility for records management previously lay with the Director of Support Services. In April 2015, due to re-structuring and changes in personnel, this responsibility was transferred to the Head of Practice & Policy.

The Job Description of the Head of Practice & Policy requires to be revised to include responsibilities for records management and SIRO. SCRA's intranet and web site will be updated to include senior management responsibilities for records management.

Evidence of improvement:

- [Director of Support Services Job Description](#)
- [Head of Practice & Policy Job Description](#)
- Accountability for implementation of SCRA's Records Management Plan ([Appendix 2](#))

Responsibility and review

Responsibility for this element lies with the Principal Reporter and Chief Executive of SCRA.

This Element will be reviewed in line with any changes in personnel.

Element 2: Records manager responsibility

Purpose: To identify the individual, answerable to senior management, to have day-to-day operational responsibility for records management on behalf of the Principal Reporter and SCRA.

A compulsory Element of the PRSA.

Statement of compliance

The Information & Research Manager, Gillian Henderson, has operational responsibility for records management and ensuring compliance with the Records Management Plan. The Information & Research Manager will be the initial point of contact for NRS on any records management issues.

The Information & Research Manager oversees the following activities: developing and maintaining information governance policies, procedures and guidance; raising awareness of information governance roles and responsibilities; monitoring and reporting on compliance with statutory and regulatory obligations; providing advice and guidance to staff and stakeholders on information governance related matters; training; monitoring and responding to data protection vulnerabilities and incidents; and responsible for coordinating and managing the response to all information requests received by SCRA.

Evidence of compliance

The primary evidence to be submitted in support of Element 2:

- Supporting statement ([Appendix 1](#))
- [Information & Research Manager – job description](#)

Supporting evidence to be submitted:

- [Data Protection Officer Job Description](#)
- [Information Assistant Job Description](#)
- [Information Security & Technical Assurance Officer Job Description](#)
- [Information Governance Policy](#)
- [Records Management Policy](#)
- [Case Information Policy](#)
- [Records Management Plan – paper to EMT January 2015](#)
- [SCRA Information Asset Owners](#)
- [IG Leads Working Group](#)

Improvement planning

There are no planned future developments for this Element.

Responsibility and review

Responsibility for this Element lies with the Head of Practice & Policy.

This Element will be reviewed in line with any changes in personnel.

Element 3: Records management policy statement

Purpose: To underpin the effective management of the Principal Reporter's and SCRA's records; to demonstrate to employees and stakeholders that managing records is important; and to serve as a mandate for the activities of the Information & Research Manager.

A compulsory Element of the PRSA.

Statement of compliance

SCRA has three policies which set out our commitment to effective records management. The Information Governance Policy defines the legislative, regulatory and best practice framework, within which SCRA operates. Our Records Management and Case Information Policies define and set out how paper and electronic records are to be managed. The policies apply to all employees and contractors who access our records. In addition to these policies, practical guidance is available on records management.

Reports are made to the Audit Committee on a quarterly basis on breaches of the case information and non-disclosure orders. The minutes of the Information Governance Leads Groups are also presented to the Audit Committee. The policies and reports are available to all staff on Connect (SCRA's staff intranet) and to stakeholders in SCRA's Publication Scheme on our website.

SCRA has an accredited Case Management System which is used as a central repository for information on children referred to the Reporter (since April 2013).

Evidence of compliance

The primary evidence to be submitted in support of Element 3:

- [Information Governance Policy](#)
- [SCRA Board minutes of meeting on 25th September 2014 – approval of Information Governance Policy](#)
- [Records Management Policy](#)
- [Case Information Policy](#)

Supporting evidence to be submitted:

- [Information Governance Overarching Framework](#)
- SCRA Audit Committee agendas – [19th February](#) and [21st May 2015](#)

Improvement planning

There are no planned future developments for this Element.

Responsibility and review

Responsibility for this Element lies with the Information & Research Manager.

SCRA's policies on records management are subject to on-going monitoring and will be reviewed annually by the Information Governance Leads Group.

Element 4: Business classification

Purpose: To describe the information assets that the organisation creates and maintains across all of its functions.

Statement of compliance

SCRA's Information Governance Policy provides the overarching framework for how SCRA's records are managed in line with its statutory obligations. SCRA's Records Management Policy sets all the types of information held in SCRA, where it is held, who is responsible, and retention schedules. The policy was introduced in 2011, and was most recently reviewed in October 2015.

SCRA's Information Asset Register categories all information held in SCRA in line with area of business and Information Asset Owner.

SCRA does not currently have a business classification scheme. This is in part due to the complexity of the organisation's current IT infrastructure with much of SCRA's corporate information being held electronically on multiple drives.

SCRA revised its organisational structure in 2011-12. As part of this, a proposal was made to the Scottish Government (SCRA's IT provider) to revise SCRA's IT infrastructure for a single corporate drive for the organisation mapped to the new Locality structure. This would have helped enable SCRA to implement a business classification scheme. At this time, due to other pressures, the Scottish Government was unable to take forward SCRA's proposal. SCRA and Scottish Government met on 5th August 2015 to discuss SCRA's retention requirements and to facilitate how its corporate records can be better structured and managed.

Evidence of compliance:

The primary evidence to be submitted in support of Element 4:

- [Records Management Policy](#)
- [Information Governance Policy](#)
- [Information Asset Register](#)
- [Proposal for a Single G-Drive for SCRA](#)
- [Records Management – clean-up of shared drives](#)

Improvement planning

SCRA is revising its original proposal to the Scottish Government for a single corporate drive.

If the proposal is accepted, the single corporate drive will be developed in line with SCRA's organisational structure and business areas in line with a business classification scheme.

As part of the preparation of the Records Management Plan a scoping exercise was carried out of all the information held across the organisation. The business classification scheme will be developed from the Information Asset Register and returns from the scoping exercise, provided by each Locality and Head Office team, on the information held across the organisation.

Evidence of improvement:

- [New Single Corporate Drive](#)
- [SCRA's Records Management Plan - scoping of information held template](#)

Responsibility and review

Responsibility for this element lies with the Information Security & Technical Assurance Officer.

This Element will be reviewed on an on-going basis.

Element 5: Retention schedules

Purpose: To identify the records held by the Principal Reporter and SCRA and determine how long they need to be retained. The retention schedule governs the retention and disposal of records to support SCRA's business functions, to meet our statutory responsibilities, and to protect the rights of individuals whose personal data we hold.

Statement of compliance

SCRA Records Retention Schedule and Employment Records Retention Schedule are included in the Records Management Policy.

SCRA's main records are its case files of children and young people referred to the Reporter. This information is held in paper case files (for cases pre-April 2013) and (post-April 2013) in SCRA's Case Management System (CMS). Historic case information is also accessible *via* SCRA's Data Warehouse.

It is SCRA's policy that case records should be held until an individual's 18th birthday and then destroyed (unless an exception applies). Since 30th October 2015 this policy has been suspended and SCRA is retaining all case records (paper and electronic). This is to comply with the anticipated requirements of the Historical Child Abuse Inquiry Scotland.

All SCRA staff are required to complete training on data protection which includes SCRA's retention of personal data and SCRA's policies on this.

There were three recommendations in the ICO's audit of SCRA in 2014, that related to retention and destruction of records. SCRA accepted and implemented two of them and partially accepted and implemented the third. This latter related to keeping a record of the names of individuals whose case files had been destroyed. It is SCRA's policy that no record on children referred will be retained after their 18th birthdays and their file destroyed (unless an exception applies)⁴.

In 2013, SCRA carried out a project across the organisation to fully implement its policy on the retention of paper case records. This project required each Locality to destroy all paper case records for individuals aged 18 years and more except for those that met the retention criteria.

SCRA's primary IT provider is SCOTS which is part of the Scottish Government. On 1st April 2015 SCOTS introduced disposal arrangements for information held on H (home) drives (used for each staff member's personal information), which had not been modified in the period one year or older. This information is archived for two years before it is deleted using Enterprise Vault.

⁴ This policy is currently suspended until the requirements of the Historical Child Abuse Inquiry Scotland on SCRA are known.

Evidence of compliance:

The primary evidence to be submitted in support of Element 5:

- [Records Management Policy](#)
- [Case Information Policy](#)
- [Retention of Case Information After 18th Birthday](#)
- [Guidance on Retention of Paper Files](#)
- [Preservation of Records Relevant to the Inquiry. Letter of 22nd October 2015 to Neil Hunter, Principal Reporter, from Susan O'Brien QC, Chair of the Inquiry](#)
- [Email of 30th October 2015 to SCRA managers – Historic abuse inquiry and SCRA's records](#)
- [SCOTS Retention Policy H \(home\) drives – SCRA staff guidance](#)
- [Data Protection and SCRA \(training presentation\)](#)
- [ICO Action Plan and Progress Report](#)
- [Re. audit follow up – email from ICO](#)
- [SCRA Guidance. Retention of Forensic Data from Children & Young People](#)
- [Minute of Meeting of Information Governance Leads held on 12th February 2015](#)

Improvement planning

Paper case files

In 2013, following a pilot project, SCRA initiated a project to review the retention of all paper case files and destroy those that met the destruction criteria. The Retention Project was completed in July 2015, with the review and destruction of case files now being embedded across the organisation as a business as usual activity⁵.

Case Management System and Data Warehouse

SCRA's CMS holds records on all children referred to the Reporter. CMS has a functionality for the automatic deletion or archiving of records. However, this is not used by SCRA as it would mean that all records would be deleted, and SCRA has a requirement to retain records of certain individuals whose forensic data has been retained by the police. SCRA has therefore introduced a process whereby Localities identify the case records that are required to be retained post 18th birthday and to inform the IT team which then deletes all other case records on those over 18 years old. A pilot on this process began in August 2015, and is planned to be business as usual by end of 2015⁵.

The Data Warehouse automatically links to CMS, and is primarily used for the production of SCRA's Official Statistics and performance data. It is necessary for SCRA to hold anonymised data for these purposes, and this is part of SCRA's registration with the ICO.

⁵ This activity is currently suspended until the requirements of the Historical Child Abuse Inquiry Scotland on SCRA are known.

SCRA's previous Referrals Administration Database (RAD) did not have a functionality to automatically delete records. RAD was decommissioned in 2014. Some information that was held in RAD is still accessible *via* the Data Warehouse. The process to delete records in CMS and their anonymisation in the Data Warehouse extends to those records previously held in RAD⁶.

Shared drives and email

There is no automatic deletion of records from shared 'G' drives. Similarly, management of emails is manual and responsibility of individual members of staff. All staff receive training on SCRA's retention policies, the Information Governance Leads provide support in their Localities on records management, and managers re-enforce the need for staff to review and delete records from shared and personal drives.

Financial records held within the finance system (eFinancials)

Financial records held within eFinancials include purchase invoices (since April 2012), purchase orders, payments, and suppliers' details. eFinancials has a "purge" command that deletes records older than a specified date. SCRA's Finance Team is currently working towards testing this command and scheduling periodic purges to ensure records are destroyed after the requirement to retain them has expired.

Evidence of improvement:

- [Benefits Realisation Programme. Retention Project Pilot Evaluation Report](#)
- [Retention – Business Case](#)
- [Retention Project Plan](#)
- [Project Closure Report. Retention Project.](#)
- [Locality Information Governance Leads - Remit and Role](#)
- [Example email from manager to staff on records retention](#)
- [Information Governance Action Plan 2015-16](#)
- [Destruction of over 18s in CMS](#)
- [Data destruction/retention in CMS – note of meeting 14/05/15](#)
- [Minute of meeting of Information Governance Leads held on 6th May 2015](#)
- [Template form for >18s](#)
- [Example Locality report on cases for retention on CMS](#)
- [SCRA Business Plan 2015-16](#)

Responsibility and review

Responsibility for this element lies with the Information & Research Manager. Responsibility for retention and deletion of CMS and financial records lies with the Head of Finance & Resources.

This Element will be reviewed on an on-going basis.

⁶ This activity is currently suspended until the requirements of the Historical Child Abuse Inquiry Scotland on SCRA are known.

Element 6: Destruction arrangements

Purpose: To evidence the arrangements in place for the secure disposal of information held by SCRA.

A compulsory Element of the PRSA.

Statement of compliance

The Principal Reporter and SCRA have proper arrangements in place for the secure disposal of information. These include policies and guidance, training of all staff on the importance of secure disposal of personal data, and use of third party contractors for the secure destruction of confidential waste from each of SCRA's offices.

Paper records

For most SCRA offices, Shred-it is contracted for the secure destruction of confidential waste. The contract with SCRA for the disposal of confidential waste states:

'Confidential waste shall be signed for by the nominated Contractor's staff at the point of collection, and the Contractor staff member shall further indicate on each disposal, that it has been adequately destroyed. All Contractor's staff engaged in the disposal of confidential waste must be security cleared to an appropriate level, and the Contractor shall be responsible for ensuring that only those staff appropriately cleared have any access whatsoever to confidential waste and that all confidential waste is disposed of in line with current legislation.

The Customer may, from time to time, audit the records of confidential waste disposal.'

SCRA's offices in more remote and island locations have separate arrangements:

- The Stornoway office has an arrangement with a contractor who picks up confidential waste bags on a needs basis and securely transports them to a Shed-it mainland shredding depot for destruction.
- The Orkney and Shetland offices are dependent on the Islands Councils for destruction of confidential waste on a needs basis on the respective islands.
- The Lochgilphead office is contracted with PHS Data Shred on a regular pick up for destruction of confidential waste.

Electronic records

SCRA's IT equipment is securely disposed as specified by HMG Information Assurance Standard No.5 – Secure Sanitisation Issue 5.0 (April 2014). The main concern is the secure disposal of the sensitive information stored on magnetic disk drives in the IT equipment, and not the rest of the equipment. SCRA collects IT equipment for destruction and by using the Catalogue of Secure Equipment selects a company that is familiar with the destruction of protectively marked waste. An order is then placed with the company so that all the IT equipment can be collected and

destroyed appropriately. SCRA keeps all the destruction certificates and records relating to this destruction service.

If there are any hard disks drives to destroy then SCRA will disassemble the hard drives and degauss the magnetic disks and use a tool to bend the disks before disposing of them. SCRA creates its own destruction records for these hard drives and stores these along with the other destruction records.

Most of SCRA's software licences are purchased through our arrangement with SCOTS and they are responsible for their destruction. For software that SCRA's purchases directly, disks are kept in locked cabinets. When software is destroyed, the disks are broken before they are disposed of. No records are kept of their disposal.

Evidence of compliance

The primary evidence to be submitted in support of Element 6:

- [Information Security Handbook](#)
- [Case Information Policy](#)
- [Records Management Policy](#)
- [Guidance on Office Moves and Refurbishments](#)
- [Copy of a destruction receipt which is printed on site by Shred-it operatives from hand held devices.](#)
- [PHS Data Shred receipt](#)
- [Data Protection and SCRA – training presentation](#)

Supporting evidence to be submitted:

- [The Big Push 2013 – Information Governance – did you know?](#)
- [SCRA Audit Committee report: ICO Action Plan – progress update](#)
- [Email from ICO to SCRA – ICO Audit Follow Up](#)

Improvement planning

The island sites and the Lochgilphead office will shortly be getting cross shredders to enable them to shred their own waste and not depend on the Councils or other contractors in these remote sites. Capital Minor works money has now been made available for the purchase of the shredders and they will be in place by end of 2015.

Responsibility and review

Responsibility for this element lies with the Information Security & Technical Assurance Officer (electronic records) and Property Officer and Information Governance Leads (paper records).

This Element will be reviewed on an on-going basis.

Element 7: Archiving and transfer arrangements

Purpose: To evidence the mechanism by which the Principal Reporter and SCRA transfer records of enduring value to the National Records of Scotland (NRS), specifying the timing of transfers and other terms and conditions.

A compulsory Element of the PRSA.

Statement of compliance

SCRA is required to consider whether any of its records might have wider historical value and should therefore be retained indefinitely rather than being destroyed in line with the Records Retention Schedule once there is no longer a business need for SCRA to keep them. This is done by transferring them to the NRS, where they will be preserved in a way which ensures their long-term survival.

As a result of discussions with the NRS, a number of classes of information have been identified that may fall into this category. These classes were identified by reference to the Retention Schedule in the Records Management Policy and relate to governance, data management and policy. Specific details of the information to be considered for retention and the criteria to be adopted will be set out in an agreement with NRS.

A memorandum of understanding will be in place between SCRA and NRS to set out how the identification, assessment and transfer process will be handled. However, this is likely to be done by SCRA on an annual basis.

Evidence of compliance

The primary evidence to be submitted in support of Element 7:

- SCRA and NRS Memorandum of Understanding
- [Records Management Policy](#)

Responsibility and review

Responsibility for this Element lies with the Information & Research Manager.

This Element will be reviewed on an on-going basis.

Element 8: Information security

Purpose: To identify the measures in place to adequately protect the Principal Reporter's and SCRA's records and to outline the steps to be taken to ensure that information is safeguarded from unauthorised use, modification, disclosure or destruction, whether accidental or intentional.

A compulsory Element of the PRSA.

Statement of compliance

The security of the sensitive personal data that SCRA creates, holds, receives, shares and disposes of is a priority for the Principal Reporter and SCRA. The security of corporate information is essential to the effective operation of the organisation. SCRA has developed robust information security mechanisms, accountability, and procedures to ensure the security of its information.

Information Asset Owners (IAOs) are responsible for identifying, understanding and addressing risks to the information assets they are responsible for. Risks are identified to the Information Security & Technical Assurance Officer who in turn reports to the SIRO. The SIRO and IAOs meet every 6 months.

At Locality level, managers are supported by their Locality Information Governance Leads on the security of information held on children, young people and their families. The Information Governance Leads meet every 2 months. These meetings are chaired by the SIRO and are attended by the Data Protection Officer, Information & Research Manager, Information Assistant, and Information Security & Technical Assurance Manager.

All staff must complete SCRA's Data Protection training and information governance e-learning, both of which include information security. SCRA has well established procedures for reporting breaches of case information and non-disclosure orders which are staff are trained on (please see Element 9 for further information).

Evidence of compliance:

The primary evidence to be submitted in support of Element 8:

- [Information Security Handbook](#)
- [Information Asset Register](#)
- [Information Asset Owner Handbook](#)
- [Introduction of Government Security Classifications. Preparing for implementation.](#)
- [Email signatures – examples of good practice](#)
- [Email Best Practice – at a glance guide](#)
- [Information Security. Phishing emails](#)
- [Protectively marking emails. Setting up your email signature in SCOTS V](#)

- [Checklist when sending mail to children and families](#)
- [Protective Security and Information Assurance. Questionnaire for non-call-off contract purchases](#)
- [Information Security Dos and Don'ts](#)
- [Social Engineering Attacks](#)
- [Correct Marking of Emails](#)
- [Passwords and PINS](#)

Supporting evidence to be submitted:

- [The Big Push 2013 poster](#)
- [The Big Push 2013 Ten Top Tips](#)
- [The Big Push 2013 Briefing Sheet](#)
- [The Big Push 2013 Partners' Briefing Sheet](#)
- [The Big Push 2013 Mousemat](#)
- [Confidentiality labels template](#)
- [Information Governance – did you know ...](#)

Further evidence is provided under Element 9: data protection.

Improvement planning

The primary evidence to be submitted to demonstrate improvement planning in relation to Element 8:

- [Information Governance Action Plan 2015-16](#)
- [Information Risk Register](#)

Further evidence on improvement planning is provided under Element 9: data protection.

Responsibility and review

Responsibility for this element lies with the SIRO, each IAO, Information & Research Manager, and Information Security & Technical Assurance Officer.

This Element will be reviewed on an on-going basis by the Audit Committee, Executive Management Team and Information Governance Leads Group.

Element 9: Data protection

Purpose: To evidence the procedures in place to manage and protect the personal information held by and on behalf of the Principal Reporter and SCRA, including information relating to: children, young people and their families; victims of youth offending; Children's Panel Members; SCRA Board members; and SCRA staff.

Statement of compliance

SCRA is a data controller, and has a current registration with the Information Commissioner's Office (ICO).

SCRA has published a privacy statement on its web site. The accuracy and security of our customers' personal information is a key part of Our Customer Commitment which is also available on SCRA's web site.

SCRA's Case Information Policy, Employment Records Management Policy and Procedures (Annex 2 to SCRA's Records Management Policy), and Information Security Handbook set how the personal information of children and families and members of staff must be processed to comply with our statutory obligations under the Data Protection Act 1998. Practice Direction 4. Non Disclosure – explains the legal provisions related to Non Disclosure and the processes that must be followed by SCRA staff.

All staff must sign and comply with SCRA's Staff Code of Conduct. Section 3.7 of the Code of Conduct sets out staff responsibilities on 'openness, disclosure and use of SCRA information'. Information governance, including data protection, is part of SCRA's induction programme for all new members of staff.

Data protection training is mandatory for all SCRA staff. In addition, all staff must complete e-learning on information governance. The ICO found this an area of good practice in its Data Protection Audit Report: – *'Staff awareness of the data protection training they have received and their knowledge of related policy and procedural requirements is good, with all staff aware of where to locate relevant data protection information and who to contact for advice and guidance.'*

SCRA's is a data processor for Children's Hearings Scotland (CHS). Through a shared services agreement SCRA provides support to CHS on human resources, finance and IT. SCRA and CHS have a Data Processing Contract in place as part of the shared service agreement.

In 2011, SCRA invited the ICO to carry out a compliance review, and in 2013 the ICO was invited to carry out a data protection audit. The audit reported in 2014 with the conclusion that SCRA demonstrated *'reasonable assurance that processes and procedures are in place and delivering data protection compliance'*. The audit found three areas of good practice and four of improvement. SCRA put in place an action plan to address these areas and in February 2015 the ICO responded to its review of

SCRA's completed action plan that '*significant progress has been made in respect of our recommendations*'.

Evidence of compliance:

The primary evidence to be submitted in support of Element 9:

- [Privacy statement](#)
- [Customer Commitment poster](#)
- [Case Information Policy](#)
- [Records Management Policy](#)
- [Information Security Handbook](#)
- [Practice Direction 4. Non Disclosure](#)
- [SCRA's data protection training presentation](#)
- [Staff Code of Conduct](#)
- [Induction Programme Guidelines](#)
- [ICO \(2014\) SCRA Data Protection Audit Report](#)
- [SCRA and CHS Data Processing Contract](#)
- [ICO \(2011\) SCRA Data Protection Compliance Review](#)
- [ICO \(2014\) SCRA Data Protection Audit Report Executive Summary](#)
- [SCRA Board's Audit Committee \(November 2014\) ICO Action Plan – Progress Update](#)
- [ICO Audit Follow Up \(email\)](#)

Supporting evidence to be submitted:

- [SCRA's Subject Access Request training presentation](#)
- [Data protection quick guide card](#)
- [Office Moves Guidance](#)
- [SCRA Team Brief Issue 15 9th June 2014](#)
- [Minutes of SCRA Board meeting held on 26 June 2014](#)
- [Confidentiality and Child Protection page on Connect \(SCRA's staff intranet\)](#)
- [Non-Disclosure request reports/documents for Hearing or Pre-Hearing Panels](#)
- [Operational Instruction Note. Non-Disclosure Case Handling on CMS](#)
- [Change of address poster](#)

Improvement planning

SCRA monitors breaches of case information and Non Disclosure Orders to assess risks to data subjects and the necessary response, and organisational compliance with the Data Protection Act 1998. SCRA Localities must immediately report breaches (whether caused by SCRA or others) to senior managers, the Data Protection Officer and Information & Research Officer. Reports on breaches are presented quarterly and annually to the Information Governance Leads Group and the Board's Audit Committee.

In response to the ICO's audit recommendations, SCRA has introduced KPIs on data protection as part of its Information Governance Action Plan. The KPIs were

introduced in 2015-16 and will be reported quarterly to the Executive Management Team and Audit Committee in SCRA's Organisational Performance Reports.

The primary evidence to be submitted to demonstrate improvement planning in relation to Element 9:

- [Child's Case Information Breach Incident Report](#)
- [Breach of Non Disclosure Notification Form](#)
- [Case Information and Non Disclosure Breaches Q1 2015-16. SCRA Audit Committee Report July 2015](#)
- [Case Information and Non Disclosure Breaches 2014-15. SCRA Audit Committee Report April 2015](#)
- [Information Governance Action Plan 2015-16](#)

Responsibility and review

Responsibility for this element lies with the Information & Research Manager and Data Protection Officer.

This element will be reviewed on an on-going basis by the Audit Committee, Executive Management Team and Information Governance Leads Group.

Element 10: Business continuity and vital records

Purpose: To identify the arrangements in place to prepare for, respond to, and recover from, an emergency that might affect any of the functions carried out by the Principal Reporter and SCRA.

Statement of compliance

The Principal Reporter and SCRA have a Business Continuity Plan in place which was most recently updated in June 2015. This includes sections on the procedures in place to protect all SCRA's vital records: Case Management System, Financial and HR systems, Data Warehouse, Internet and Connect (SCRA's staff intranet), and paper files. The Business Continuity Plan was developed by SCRA's Business Continuity Team, who will review it on at least an annual basis in response to changes within SCRA and the learning gained from responding to any incidents.

SCRA's Risk Management policy was approved by the Board in 2012. Appendix 1 to the Policy sets out SCRA's Risk Management Structure.

SCRA's records and systems to manage them are vital to the operation of the organisation and its statutory functions, and as such are included in all the organisation's risk registers. The Audit Committee approved the updated Strategic Risk Register and Operational Risk Register in May 2014.

Evidence of compliance:

The primary evidence to be submitted in support of Element 10:

- [Business Continuity Plan](#)
- [Business Continuity page on Connect](#)
- [Business Plan 2014-15](#)
- [Risk Management Policy](#)
- [Audit Committee Report – Strategic and Operational Risk Registers⁷](#)
- [Information Assets Register](#)
- [Information Risks Register](#)
- [Operational Risk Register](#)
- [CMS Disaster Recovery Plan and Procedures](#)

Improvement planning

SCRA's internal auditors identified gaps in SCRA's risk management, primarily within the Locality structure. In response, SCRA established a Risk Reference Group in April 2015 to embed a culture of risk management across the organisation.

⁷ Strategic Risk Register is an Appendix to the Audit Committee report

- [.Audit Committee report – Developing SCRA’s approach to risk management – phase 1](#)
- [Risk Reference Group – note of meeting 23rd April 2015](#)

Responsibility and review

Responsibility for this Element lies with the Head of Finance & Resources and Senior Operational Manager (North West Area).

This Element will be reviewed on at least an annual basis by the Business Continuity Team.

Element 11: Audit trail

Purpose: To accurately document the movement and/or editing of records created as a result of the functions and activities of the Principal Reporter and SCRA to demonstrate the authenticity, reliability and integrity of all records.

Statement of compliance

The majority of SCRA's records (non-case related) are held securely on the Scottish Government's SCOTS system. Data held within the SCOTS system are not subject to formal auditing by SCRA, but are managed in accordance with SCRA's Records Management Policy.

Financial records held within the finance system (eFinancials)

Audit of the data within eFinancials takes place on a continuous basis. At its earliest and most basic level information posted onto the system is reviewed by Finance staff when invoices and journals are posted and payments are made. These reviews are based on controls designed to ensure accuracy and completeness of data. These data are further reviewed by Budget Holders to ensure accuracy and is compared to the budget at this point.

Formal audit of the data is then carried out by SCRA's internal and external auditors. SCRA's internal audit function tests SCRA's financial controls and reports on their robustness. These reports are commented on by Finance Management and then reviewed by SCRA's Audit Committee.

SCRA's current independent external auditors, appointed by Audit Scotland, undertake an annual statutory audit of SCRA's financial data. Using both information from internal auditors and their own tests the robustness of the financial controls are further checked. Once the external auditors are satisfied that there are no material misstatements in the accounts they publish an Audit Opinion to the effect that our accounts are 'True & Fair'.

Case Management System

SCRA's CMS is the electronic records management system for cases of children and young people referred to the Children's Reporter. In August 2015, in line with SCRA's 2015-16 Internal Audit Plan, SCRA's internal auditors undertook a review of the administrative and security arrangements in place in CMS. The internal audit found that there were effective administrative procedures in place.

HR Records (i-Trent)

An audit of amended records, which principally impact on payroll, is carried out monthly by the Finance Team to ensure accuracy of amendment and reconciliation with finance. In addition, the Transactions Team undertake audits of system usage to ensure that those staff accessing the system do so within their delegated responsibilities. Each year staff are reminded to keep their personal information up to date e.g. addresses, next of kin, bank account details, etc. – this is completed through a self-service portal

Data warehouse

SCRA's Data warehouse is used to produce reports and statistics from data held in CMS. Data within the warehouse undergoes full validation prior to it entering the database through rules set up within the transform process. Once in the database and prior to data becoming information within the reporting universe it is again subject to validation and rules to meet our agreed reporting definitions. Full quality assurance takes place when developing new reports and running data for the first time prior to it becoming a scheduled report. Spot checks take place thereafter.

Data quality

SCRA publishes Official Statistics annually that encompass a full data set of information relating to the processing of a child's referral through the Hearings System. To comply with Official Statistics' requirements we must meet a number of strict criteria about the quality and accessibility of our data. Internally we regularly run data quality checks to look for mismatches in information – this to ensure quality of data input. Reports on these checks are then fed back to operational staff to aid improvement in the quality of information that SCRA's hold and reports on (example provided – report on duplicate child records).

Paper case files

Following the ICO's audit in December 2014, SCRA introduced a log book system in each Locality to record when staff take paper case files out of the office.

Evidence of compliance:

The primary evidence to be submitted in support of Element 11:

- [Information Governance Leads minute of meeting on 27th August 2014](#)
- [Audit Committee Report 13th November 2014 – ICO Action Plan Progress Update](#)
- [Records Management Policy](#)
- [SCRA's 2015-16 Internal Audit Plan](#)
- [SCRA Internal Audit Report – Case Management System Review August 2015](#)
- Link to SCRA's official Statistics:
http://www.scra.gov.uk/publications/online_statistical_service.cfm

Supporting evidence to be submitted:

- [Duplicate Child Records – Monthly Report](#)

Improvement planning

The internal audit of CMS, in August 2015, identified that improvements are required to audit the logging and monitoring capability in place. SCRA's management response was that SCRA will work on establishing more regular monitoring and review based on early hours reporting against the proceeding day's (i) root access; (ii) logged-in users; (iii) failed access attempts; and (iv) unauthorised remote access.

This will be developed and implemented by SCRA's IT Team no later than February 2016.

Responsibility and review

Responsibility for this Element lies with the IAOs.

This Element will be reviewed on an on-going basis.

Element 12: Records management competency framework

Purpose: To evidence that the SCRA staff responsible for day-to-day operational management of the Principal Reporter's and SCRA's records have the skills necessary to carry out their roles.

Statement of compliance

The Principal Reporter and SCRA recognise that it is essential that staff responsible for records management are trained and have the necessary skills for their roles.

The seven IAOs, nine Information Governance Locality Leads, the Information Security & Technical Assurance Officer, and Information & Research Manager have all completed Information Asset Owner training.

SCRA has developed bespoke e-learning on information governance which is mandatory for all staff. All staff must also complete SCRA's data protection training.

Evidence of compliance:

The primary evidence to be submitted in support of Element 12:

- [Role of Information Governance Locality Leads](#)
- [Information Asset Owner Handbook](#)
- [Information Governance Policy](#)
- [SIRO training certificate](#)

Improvement planning

The Data Protection Officer has attended the Data Protection Practitioner Course and will sit the BCS Data Protection exam in November 2015.

Responsibility and review

Responsibility for this element lies with the Head of Practice & Policy.

This Element will be reviewed on an on-going basis.

Element 13: Assessment and review

Purpose: To identify the processes in place to regularly review records management systems and practices to ensure they remain fit for purpose and continue to support the statutory obligations and operational requirements of the Principal Reporter and SCRA.

Statement of compliance

Records management features throughout SCRA's Corporate Plan for 2014-17 and its Business Plan for 2015-16.

The Principal Reporter's and SCRA's records management is under continuous review. The Information Governance Leads Group meets approximately every 2 months and its activities are reported by the SIRO to the Audit Committee on a quarterly basis. In addition, the SIRO meets with the IAOs every 6 months.

In preparation of the Principal Reporter's and SCRA's Records Management Plan, a scoping exercise was carried out of all SCRA Head Office teams and Localities to determine what information is held and how it is being managed. This was used to revise the Records Management Policy.

SCRA and CHS have shared areas of responsibility for records management in the Children's Hearings System. A joint CHS and SCRA Information Governance Group has been established to oversee these common areas of responsibility and improve information governance across the Children's Hearings System. For SCRA, the joint group reports to the Information Governance Leads Group.

The Information Governance Leads Group will review this Records Management Plan and the Records Management Policy annually, and will report to SCRA's Executive Management Team and Audit Committee.

Evidence of compliance

The primary evidence to be submitted in support of Element 13:

- [Scoping of information held template](#)
- [Records Management Policy](#)
- [Business Plan 2015-16](#)
- [Corporate Plan 2014-17](#)
- [Role of Locality Information Governance Leads](#)
- [CHS and SCRA Information Governance Group – Terms of Reference](#)

Supporting evidence to be submitted:

- [Information Governance Leads – minutes of meetings on 12th February and 6th May 2015](#)

Responsibility and review

SCRA has established a robust framework of continuous review of information governance across the organisation. The on-going effectiveness of this framework will be examined by SCRA's internal auditors and Audit Committee.

Responsibility for this element lies with the Information & Research Manager and Locality Information Governance Leads.

Element 14: Shared information

Purpose: To evidence the safeguards in place to share information lawfully and securely with key partners and service users involved in the Children's Hearings System.

Statement of compliance

To ensure the effective operation of the Children's Hearings System and compliance with SCRA's statutory responsibilities under the Children's Hearings (Scotland) Act 2011, it is necessary for SCRA to share information with key partners such as local authorities, police, courts, health, solicitors, safeguarders, Children's Panel Members, Children's Hearings Scotland (CHS), and the Scottish Government. SCRA also has statutory duties to share information with children, young people and their parents and carers; and with victims of youth offending.

The Principal Reporter and SCRA are committed to the secure and lawful sharing of information, and to work with partner organisations to improve information sharing processes and practices across the Children's Hearings System.

Much of the information that SCRA is required to share is sensitive personal data as defined by the Data Protection Act 1998. SCRA has information sharing guidance and policies for its staff.

As the key partners in the Children's Hearings System, SCRA and CHS have established joint group to improve information governance across both organisations, ensure best practice and effective information governance in the operation of Children's Hearings and identify opportunities for partnership working.

SCRA has Information Sharing Protocols and Memoranda of Understanding with partner organisations to govern the sharing of sensitive personal data.

Evidence of compliance:

The primary evidence to be submitted in support of Element 14:

- [Information Sharing Advice Note](#)
- [Privacy Statement](#)
- [Information Sharing Protocol between the Scottish Children's Reporter Administration and the Crown Office and Procurator Fiscal Service](#)
- [Joint Agreement in relation to the cases of children jointly reported to the Procurator Fiscal and Children's Reporter](#)
- [Information Sharing Protocol: Children's Hearings Scotland and Scottish Children's Reporter Administration](#)
- [Memorandum of Understanding between the Scottish Children's and Children 1st on the Appointment of Safeguarders for Children's Hearings](#)
- [Court Electronic Transmission Protocol](#)

- [Memorandum of Understanding between Police Scotland and the Scottish Children's Reporter Administration](#)
- [Memorandum of Understanding between the Scottish Children's Reporter Administration and G4S for the transfer of Children's Hearings information relating to young person's under electronic and/or radio monitoring](#)
- [Electronic Transmission of Reports and Report Requests Protocol \(NHS\)](#)
- [Children's Hearings \(Scotland\) Act 2011 – A Operational Framework and agreements between Social work, Children's Hearings and the Reporter](#)
- [Protocol between the Scottish Legal Aid Board and the Principal Reporter on the identification of potentially high cost proceedings](#)
- [Guidance Note re. Duty Solicitors Recommended by Hearing/Pre-Hearing Panel](#)
- [CHS/SCRA/WithScotland Memorandum of Understanding: The provision of independent reports to children's hearings](#)
- [CHS and SCRA Information Governance Group – Terms of Reference](#)

Supporting evidence to be submitted:

- [Case Information Policy](#)
- [Business Plan 2013-14](#)
- [Corporate Plan 2014-17](#)
- [Interpreting, Translation and Transcription. SCRA Framework Guidance](#)
- [Translation and Interpretation. Operational Guidance for Staff](#)
- [Victims of Youth Crime. A Victim's Guide to the Children's Hearings System](#)
- [Initial victim letter template](#)
- [SCRA \(2013\) Interim Report of Victim Information Service](#)
- [Initial victim letter template](#)
- [Risk Management Authority Guidance. Sharing of information about offenders subject to a Risk Assessment Order or an Interim Compulsion Order issued by the High Court](#)

Improvement planning

The ability to securely and efficiently exchange information is at the core of the effective operation of the Children's Hearings System. Strategic priorities for SCRA are to extend and establish information sharing processes with all Scottish local authorities and Police Scotland.

SCRA has protocols and processes in place with 23 local authorities for the secure electronic transmission of reports on children referred to the Children's Reporter and Children's Hearings (example provided below). It is a priority for SCRA that these are also established for the remaining nine local authorities.

SCRA and Police Scotland are currently piloting a process for the secure automatic electronic exchange of information on children who may be at risk.

It is essential that services working with a child know when there is a Non Disclosure condition in place. SCRA has established protocols to provide this information to

some local authorities and health boards (example provided below), and is actively seeking to extend this to all.

SCRA and CHS are developing a joint digital strategy for the Children's Hearings System. This will utilise digital technology to improve security and efficiency of communication with partners and children and families.

The primary evidence to be submitted to demonstrate improvement planning in relation to Element 14:

- [Information Governance Action Plan 2015-16](#)
- [Provision of Non Disclosure Measure Lists Protocol template](#)
- [Provision of Non Disclosure Measure Lists to NHS Greater Glasgow and Clyde Protocol](#)
- [Memorandum of Understanding between the Scottish Children's Reporter Administration and Dumfries & Galloway Council Education and Social work Services](#)
- [Social Work Protocols Electronic Exchange User Guide](#)
- [SCRA Business Plan 2015-16](#)
- [SCRA Corporate Plan 2014-17](#)
- [Police Scotland and the Scottish Children's Reporter Administration Protocol Agreement – Pilot Procedure on Exchange of Information on Children who may be at Risk](#)
- [SCRA Research report – Non-Disclosure Conditions in the Children's Hearings System](#)

Responsibility and review

Responsibility for this element lies with the Head of Practice & Policy.

This Element will be reviewed on an on-going basis.

The Principal Reporter and SCRA – Records Management Plan

Supporting Statement

We are pleased to present our Records Management Plan for assessment by the Keeper of the Records of Scotland. This Plan sets out the arrangements we have in place to manage our records and the activities we have planned to ensure continuous improvement in the management of information.

We are committed that SCRA shall have the highest standards of information governance and for this to be embedded in the culture of the organisation. We believe that SCRA has made considerable progress towards this at both local and strategic levels. At a local level, the establishment of Locality Information Governance Leads, and information governance being included in Locality Plans and management meetings ensures that all staff are aware of their responsibilities and need for continuous improvement. At a strategic level, SCRA's Board's Audit Committee reviews the effectiveness of SCRA's information governance on a quarterly basis, and operationally SCRA Executive Management Team monitors performance and improvement activities through the business planning cycle.

SCRA actively strives to promote good information governance across the Children's Hearings System and has initiated improvements with partner agencies to protect the rights of children and young people referred to the Children's Reporter and Children's Hearings. This is a priority for SCRA, and we will continue to work with partners at national level and support Localities to improve how such information is managed to improve the operation of the Children's Hearings System.

The individual responsible for implementing this Plan is Gillian Henderson, Information & Research Officer (please see Element 2 for further information about her role and responsibilities). We fully endorse this Plan and support the Information & Research Officer in the delivery of the key objectives outlined.

Malcolm Schaffer, Head of Practice & Policy

Neil Hunter, Principal Reporter and Chief Executive

November 2015

Accountability for implementation of SCRA's Records Management Plan

Element	Requirement	Who is responsible for implementation	Review period
1	Strategic responsibility for SCRA's records management	Malcolm Schaffer, Head of Practice & Policy and SIRO	On-going
	Locality responsibility for records management	Locality Reporter Managers	On-going
2	Operational responsibility for records management	Gillian Henderson, Information & Research Manager	On-going
3	Review of SCRA's records management policies	Gillian Henderson, Information & Research Manager Information Governance Leads Group	Annually by IG Leads Group
4	Development and implementation of SCRA's business classification scheme	Bruce Knight, Information Security & Technical Assurance Officer	March 2017
5	Review of retention of case information	Gillian Henderson, Information & Research Manager	In line with SCRA's Records Management Policy
	Review of retention of financial records and those retained on case management system	Ed Morrison, Head of Finance & Resources	
	Review of retention of information in data warehouse	Lisa Bennett, Head of Strategy & Organisational Development	
	Review of retention of staff records	Susan Deery, Human Resources Manager	
6	Destruction of electronic records	Bruce Knight, Information Security & Technical Assurance Officer	In line with SCRA's Records Management Policy
	Destruction of paper records	Eddie Paterson, Property Officer Information Governance Leads	
7	Transfer of records of enduring value to the National Records of Scotland	Gillian Henderson, Information & Research Manager	Annually
8	Ensuring that information is safeguarded from unauthorised use, modification, disclosure or destruction.	Malcolm Schaffer, Head of Practice & Policy and SIRO Information Asset Owners Bruce Knight, Information Security & Technical Assurance Officer	Every 2 months by IG Leads Group
9	Compliance with the Data Protection Act 1998	Gillian Henderson, Information & Research Manager Katie Brownlee, Data Protection Officer	Every 2 months by IG Leads Group
10	Maintain the arrangements to prepare for, respond to, and recover from an emergency that	Ed Morrison, Head of Finance & Resources Alistair Hogg, Senior Operational Manager (North West	At least annually by the Business

	may affect SCRA's vital records	Area).	Continuity Team
11	To put in place auditing of remote access to the case management system	Douglas Cameron , Technical Manager	By February 2016
	Auditing of SCRA's financial records	Ed Morrison, Head of Finance & Resources	Quarterly by Audit Committee; annually by internal and external auditors
	Auditing of SCRA's HR records	Susan Deery, Human Resources Manager	Annually
	Ensuring quality of data warehouse records	Lisa Bennett, Head of Strategy & Organisational Development	Annually as required by Official Statistics
12	Staff are trained in records management have the necessary skills for their roles	Malcolm Schaffer, Head of Practice & Policy	Quarterly
13	Regular review records management systems and practices	Gillian Henderson, Information & Research Manager Locality Information Governance Leads	Every 2 months by IG Leads Group
14	To maintain the lawful, efficient and secure exchange of information with partner organisations and children and their families	Malcolm Schaffer, Head of Practice & Policy	Every 2 months by IG Leads Group; quarterly by Audit Committee

RECORDS
MANAGEMENT
PLAN

