SCOTTISH EXECUTIVE

Information Management Unit

Records Management Manual

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1. Introduction

1.1 Your Information Management responsibilities

Information Management Principles

The SE has set out the following six principles as best practice for managing our information.

- We treat information as a Scottish Executive resource
- We are all responsible for our information
- We make information accessible to others
- We keep records of what we do
- Our information is accurate and fit for purpose
- Our information complies with regulations and legal requirements
- Records, documents and reference material

As individuals we all have a responsibility to maintain an accurate record of our activities at work. All our (SE) information should be stored in eRDM with the exception of documents with a security marking of confidential or above. The SE advocates an "open file" policy in eRDM and this approach should be used by all individuals where possible. If, however, you produce or file information that is restricted, for example because of sensitivity or for privacy reasons, you should ensure the record in question is accessible only to those who need it.

Some documents (especially many internal emails) need only be kept for very short periods and can be deleted once they are of no further use – that is, no further action is planned, and they have no potential value as evidence, for audit or historical purposes, etc.

One category of document that may have a slightly longer life is material held for reference, which is normally material from outside the Executive, published or unpublished, held for easy access rather than as part of our record. Such material should be kept as part of the official record only after careful consideration, as it may be subject to copyright restrictions.

Documents or versions of documents that need to be retained in context – i.e., with the other documents that make up the file – are identified in eRDM as having "Corporate Value". Documents which have this setting ticked cannot be deleted from the system: they will be disposed of or preserved along with the file they are in at the end of its life.

For more information on eRDM and corporate value click here:

1.2 Information Management Unit (IMU)

The Information Management Unit is responsible for setting out the strategy and policies for the proper management of information resources throughout their effective life in the Executive. IMU comprises the Information and Library Services team, responsible for

locating and making available external information resources; the Records Management team, responsible for the management of business records in whatever form through to destruction or archiving with the National Archives of Scotland; and the Information Management Advisers, responsible for providing advice and guidance relating to information management policies and practices.

1.3 Records Management Team (RMT)

The Records Management Team supports the practices of recordkeeping and records management within the Executive. It supports the eRDM system by approving, creating, reviewing, destroying or archiving files on the Executive's behalf. RMT is responsible for approving file types and standards, retention schedules, privileges, etc., and for helping users and IMSOs to determine the best recordkeeping practices to support the business. RMT monitor file naming and will reject files if their names do not conform to naming conventions.

RMT is also responsible for the interface between the Executive and the National Archives of Scotland, who hold those records deemed of archival value for public and historic reference.

1.4 Information Management Adviser (IMA)

The IMA's purpose is to encourage high standards and compliance in information management practice throughout the Executive. Each Department will have an IMA who will give advice and guidance relating to issues such as the fileplan, filing, data protection, freedom of information, records management, etc. IMAs will be available to help and support IMSOs and Division Heads in carrying out their roles. The IMAs are part of the Information Management Unit.

1.5 Information Management Support Officer (IMSO)

The IMSO will provide local information management knowledge and support for Division Heads in their eRDM responsibilities. The IMSOs will also maintain close liaison with their IMA and RMT on all matters affecting management of records.

There will be IMSOs at Division, Group and Department Level. IMSOs will receive additional training and documentation to assist them in their role, and will be the first point of contact for any information management queries.

1.6 The role of The National Archives of Scotland (NAS)

NAS (formerly known as the Scottish Record Office) was established on 1 April 1993 as an Executive Agency. It is headed by the Keeper of the Records of Scotland, who is responsible to the Scottish Ministers for its management, performance and future development.

NAS holds all historical records created by SE. In addition to advising Scottish Ministers on records and information policy, NAS advises Scottish public authorities about the creation and management of their records and provides a reference service to the public on all aspects of the national archives.

By administrative agreement, and in accordance with the requirements of public records legislation, no record created by SE, whether electronic or on paper, can actually be destroyed without NAS sanction.

Preserved SE files in NAS custody can be retrieved if required by contacting SE Records Management Team. Paper files take about 3-4 days to be returned from NAS.

2. Records Management

2.1 Why we keep records

What is a record?

A record:

- can be a single piece of information or a collection of information that is evidence of an activity or decision.

- tells the story of how a business area went about an activity or why a particular decision was made.

Why do we keep records?

- To comply with legal requirements
- To be publicly accountable for and able to justify our decisions and actions
- To support decision making
- To improve performance
- To document activities and decisions
- To provide a "long-term" corporate memory

2.2 Why we manage records

- An effective records management system is essential to ensure records are captured, managed and preserved or destroyed in an organised manner, maintaining their integrity and authenticity.
- To demonstrate compliance with the requirements of the Public Records Act 1958, the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002.
- Records must be retrievable easily and quickly in order to respond to requests for information with legislative or parliamentary time scales.
- It is costly in money and resources to store records indefinitely.
- As a public body, we have a duty to ensure that details of important decisions are preserved for future generations including historians.

2.3 What should be considered a record

The following is a check list of the documents that we believe should be declared 'Corporate Value', which denotes documents held as proof or evidence of business or decisions undertaken. In other words, what constitutes the official record. This list is not exhaustive.

- Policy documents (written by, or sent for action to, your business unit, in connection with an existing policy or the development of a policy) – any document that records what we've done, why we did it, or who authorised it.

- Submissions to Ministers from your business unit, and replies from Private Offices.

- Documents relating to formal consultation exercise on Scottish Executive policy on a particular topic for which your business unit is in the lead.

- Documents relating to the planning, drafting, development and passage of a bill or statutory Instrument for which your business unit is in the lead.

- Documents relating to the planning, drafting and development of Sewell Motions if your business unit is in the lead.

- Documents relating to the procurement of formal research into a particular research topic/project for which your business unit is in the lead.

- Agenda, minutes and papers of meetings on topics for which your business unit is in the lead (unless connected with internal local administration, e.g. team meetings, accommodation, staffing etc.).

- Policy correspondence with other Government departments, public bodies etc.

- Documents relating to the setting up, planning, strategies and administration of public bodies for which your business unit is in the lead.

- Drafts of any of these documents (where Ministers or staff have made important changes, or have made clear that they disagree with others).

- Documents which may have to demonstrate legal admissibility.

- Documents relating to the management and processing of cases for which your business unit is in the lead.

- Documents relating to the procurement, award and management off contracts for which your business unit is in the lead.

2.4 What is unlikely to be considered a record

The following is a check list of the documents that we believe should not be declared 'Corporate Value' – documents that do not contribute to the official record. Again, this list is not exhaustive.

- Documents copied to your business unit only for information.

- Internal routine administrative documents, such as duty rotas, meeting arrangements, catering etc.

- Internal operational management documents such as team meetings, staffing, accommodation moves, restructuring, budgeting etc.

- Most drafts (though some important drafts should be declared – see Appendix A).

2.5 Data Protection

The Data Protection Act 1998 (DPA) came into force on 1 March 2000. It sets rules for processing personal information and applies to paper records as well as those held on computers. The Act applies to "personal data", that is, data about identifiable living individuals. Those who decide how and why personal data are processed are referred to as "data controllers". The Executive is a data controller, and as such must comply with the rules of good information handling, known as the data protection principles, and the other requirements of the DPA.

Data Controllers are required to notify the UK Information Commissioner, in broad terms, of the purposes of their processing of personal data. The Executive's notification is wide-ranging and covers all current known purposes, types and classes of personal data held. However, if new personal data is to be acquired for business purposes, a check should be made as to whether our notification covers it. Explanatory guidance on notification, the data protection principles and the DPA in general can be found on the Intranet,
http://intranet/content/corporate/guidance/information/openness/dataprotection/dpr-00.asp

The DPA also has implications for line managers who keep information on their staff. In particular:

You should:

- let staff know what records you hold;
- let staff see any information you hold if they request it;

You should not:

- keep stray papers in your bottom drawer;
- keep Performance Management forms for staff who no longer work for you.

The Personnel policy for the DPA, with further guidance both for line managers and for individuals, is on the Intranet,
http://intranet/content/corporate/guidance/seme/data/DataProtectionPersonnelPolicy.pdf

2.6 Freedom of Information (FOI)

The Freedom of Information (Scotland) Act places a legal requirement on us to act in the spirit of openness which is already central to the Executive's Aim, Vision and Values. The Executive's Information Management Principles are also in place, setting out our responsibilities in managing and creating accurate information, making it accessible and meeting our legal requirements. Our Publication Scheme details what information is available and where it can be found.
The legislative requirements of the FOI Act include providing the information (unless exempt) within 20 working days, a duty to provide advice and assistance to applicants, and proactively publishing information in our Publication Scheme. Some requests for information need careful consideration, firstly whether an exemption to the Act applies, and then (in all

but cases of 'absolute' exemption) whether it is nevertheless in the public interest to provide the information.

More information can be found on the FOI intranet site.

Requests for information about the environment are covered by the Environmental Information Regulations (EIRs) instead of FOI (see section 11 for an explanation of how the two pieces of legislation interact). Broadly speaking the system for handling EIRs is very similar to FOI - in particular you should advise the FOI Unit about any sensitive or complex cases – however the specific guidance on EIRs should always be consulted, at http://www.scotland.gov.uk/library5/environment/aeig-00.asp

2.7 Protective and privacy markings

Security Markings
The Protective Marking to be allocated to any asset, including information, will be determined primarily by reference to the practical consequences that are likely to result from the deliberate compromise of that asset or information.
The markings determine the level of protection required and are:

Top Secret

- The compromise of this information or material would be likely to:
- threaten directly the internal stability of the UK or friendly countries;
- lead directly to widespread loss of life;
- cause exceptionally grave damage to the effectiveness of security of the UK or allied forces or to the continuing effectiveness of extremely valuable security or intelligence operations;
- cause exceptionally grave damage to relations with friendly Governments; or
- cause severe long-term damage to the UK economy.

Secret

- The compromise of this information or material would be likely to:
- raise international tension;
- damage seriously relations with friendly Governments;
- threaten life directly or prejudice seriously public order or individual security or liberty;
- cause serious damage to the operational effectiveness or security of the UK or allied forces or to the continuing effectiveness of highly valuable security or intelligence operations; or
- cause substantial material damage to national finances or economic and commercial interests.

Confidential

- The compromise of this information or material would be likely to:
- materially damage diplomatic relations, i.e. cause formal protest or other sanction;
- prejudice individual security or liberty;
- cause damage to the operational effectiveness or security of the UK or allied forces or to the effectiveness of valuable security or intelligence operations;
- work substantially against national finances or economic and commercial interests;

- substantially to undermine the financial viability of major organisations;
- impede the investigation or facilitate the commission of serious crime; or
- shut down or otherwise substantially disrupt significant national operations.

Restricted

- The compromise of this information or material would be likely to:
- affect diplomatic relations adversely;
- cause substantial distress to individuals;
- make it more difficult to maintain the operational effectiveness or security of the UK or allied forces;
- cause financial loss or loss of earnings potential to or facilitate improper gain or advantage for individuals or companies;
- prejudice the investigation or facilitate the commission of crime;
- breach proper undertakings to maintain the confidence of information provided by third parties;
- impede the effective development or operations of Government policies;
- breach statutory restrictions on disclosure of information;
- disadvantage Government in commercial or policy negotiations with others; or
- undermine the proper management of the public sector and its operations.
- More information on the security markings can be found on the Security branch's intranet site.

In eRDM it is important to note that any information above restricted (ie Confidential, Secret or Top Secret) cannot be held on a Scots system and as such this information will still be held on paper files with a physical marker shown on eRDM.

This information can be found on the Security branch's intranet site.

2.8 Pre-Devolution records and records of reserved matters

Secondary legislation made under the Scotland Act 1998 provides that legal ownership of administrative and departmental records created before Devolution (1 July 1999) remains with the UK Government – in practice, with the Secretary of State for Scotland. However, SE is granted the "right of possession" of records created before 1 July 1999, provided they are held or used wholly or mainly for or in connection with the exercise of functions transferred to Scottish Ministers. This covers almost all records in use by the former Scottish Office up to 1 July 1999.

This means that practically all files in existence up to 1 July 1999 (although not papers created after 30 June 1999) are formally owned by the Secretary of State for Scotland; but that SE is responsible for looking after them, for passing them to Scotland Office when requests are made to access them, and for reviewing them when this falls due.

It has been agreed that where the UK Government wishes to exercise its right of access to pre-1 July 1999 records, only papers relating to the period up to 1 July 1999 should be released. Where a file contains papers generated before and after 1 July 1999, it should be split before the older papers are sent to Scotland Office.

For further information (including FOI arrangements) click here. [Insert link to FOI Unit's "Guidance on the Agreement Between the Scottish Executive and the Scotland Office on Pre-Devolution Records of the Scottish office"]

2.9 Change of Administration

It is an established convention that Ministers of a current Administration may not generally see documents of a former Administration of a different political party.

Further information regarding this can be found on page 8 of the Directory of Civil Service Guidance: Volume 2
(http://www.cabinetoffice.gov.uk/propriety_and_ethics/publications/pdf/csg-vol2.pdf)

2.10 Private Office records

[redacted] *to provide information on Private Office records*

3. Record Management Systems

3.1 Pre- eRDM paper filing system – IMPReS

SE pre-eRDM paper records are registered on an electronic tracking and retrieval system called IMPReS. NetIMPReS is the Intranet facility whereby branches (with SCOTS) can view file details – those which appear on the file cover, e.g. file reference number, title, location, protective marking, disposal, etc. You can view all officially registered pre-eRDM SE files via NetIMPReS with the exception of the records of those branches which have notified RM team of concerns about confidentiality. Access is read-only via Inexec: Systems: Records Management. Further guidance is onscreen or via the Guidance tab. NETIMPReS electronically enables you to:

- submit requests for files to be retrieved from central store – form includes an urgency box if required. NB requests received from business areas which do not "own" the files will be validated to determine whether they can be released.
- search database using keywords for file titles
- advise RM team of new holder if the file changes hands.

How do I request a file from central store?

- Pre-eRDM files held in central storage will have "current holder" shown as RMS-PA ("PA" means Put Away) on NetIMPReS. To recall:
- click on Select button beside the appropriate file in Search Results screen
- the details will display for the file you have selected
- if the selected file has been destroyed, cancelled or is already marked out to somebody else a message that the file cannot be requested will display

- if the file can be requested, a message will invite you to submit the form
- your customer details will default to the lower half of the form to assist with validation of your request
- click on the Urgent button if the request is to be treated as immediate NB Urgent should only be used exceptionally
- click on Request button to submit form.

3.2 How do I send files to central store?

Files to be Put Away (PA)

All pre-eRDM paper files should be closed when the business unit owning them becomes operational on eRDM. In practice, most people will want to keep their more current paper files handy to refer to, even though they're closed. However, if there is no further immediate business requirement for such files they should be sent to central storage.

To do this, write "RMT-PA" in the markings column on the file cover and send the file to store via the internal messenger service. You can make arrangements for uplift of bundles of files too large for conveyance by the messenger service by contacting Help Central on 43550. When files are received into store, IMPReS will be updated to reflect the new location.

Files to be Brought Forward (BF)

If you have files not currently required but where there is expected future action, you can send them to central store for temporary housing in designated "bring forward" racking. Write "RMT-BF", date for BF and name and location of the requesting officer in the markings column on the file cover and the file sent to store via the internal messenger service. You can mark files "bring forward" for any date within a year from the submission of file to store.

3.3 How we find pre-eRDM paper records using NETIMPReS

You can search NETIMPReS using either file cipher if known or keywords from the file title. Details displayed will be those you would expect to see on the file cover, e.g. file reference number, title, location, protective marking, disposal etc. In the case of your file records not being accessible on NETIMPReS, RMT can assist in locating and providing details of files.

3.4 What is eRDM

Electronic Records and Document Management (eDRM) systems enable organisations to store, retrieve and manage documents and records electronically. The system used in the Scottish Executive is Objective.

Previously documents have been stored across a variety of locations, on networks, in email systems and on people's PCs. Staff were unsure if they are working on the most recent version of documents, work was often duplicated, unknown to the user, and documents could

even be lost. eRDM ensures that staff have easy access to the documents they need, they will know what exists, where it exists, and they can be sure they are accessing the latest versions.

Also, the Executive has a complete audit trail of which documents were accessed, who accessed them and when. This gives control over all documentation, complete records of all transactions, ensuring that accountability is assured and the organisation has the ability to capture knowledge as it's created.

3.5 Searching within eRDM

One of the main benefits of an eRDM system is the ability to search for files and documents. In Objective the search window can be easily accessed by pressing **Ctrl and F**. This will bring up a window in which there is a large selection of criteira which can be used to search for information. Searches can be set up for files, documents and any other information stored in the system using a number of criteia including creator, creation date, name, date updated etc.

A number of saved searches have been created in the system which may be useful. These can be found under the Corporate Searches folder in the Global Fileplan. These contain basic searches such as 'Find documents by name', 'Find documents by owner' etc.

3.6 New files

In eRDM files can be requested using the 'File request object'. Details on how this can be completed is in the IMSO Manual (can be found on the eRDM intranet site). All file requests must be approved by an IMSO before Records Management will create the file.

Records Management Team will search for approved file requests throughout the day and have a Service Level Agreement in place to action correct requests within 24 hours.

When creating files the File List Development Pack (object id: A41666) should be consulted to ensure that the file follows the conventions that have been set by Information Management Unit.

3.7 File closure

Files whether physical or virtual, should be closed when:

- 5 years have elapsed since the file's creation (1 year for some file types such as Correspondence or Ministerial Engagements – see [link to records schedule]);
- the subject matter is no longer current;
- documents have not been added for 6 months;
- a virtual file is approaching its limit of 1000 documents, after which, although documents can still be added to it, its content cannot be browsed (the system gives a warning at the 500 document point) – a new part should be created;
- a physical file has become too bulky (over 4 cms) – a new part should be created.

File closure at the 1 or 5 year points described above will not occur automatically. RM Team will contact business unit IMSOs on an annual basis to agree such closure where appropriate. Otherwise, IMSOs should contact RM Team to arrange file closure and the creation of new parts if appropriate.

3.8 Other information types

Forms (Both paper and electronic)

Where a division/branch is required, by guidance and/or policy, to retain a master/original of a form used for internal administration, a file may be created in eRDM. As, in general, most of this information is stored for the purposes of Audit, the files created will be generic in nature.

If the form is in paper, a physical file should be created in eRDM but stored locally. In general, the scanning of such items into eRDM is not recommended unless there is a clear cost saving to be achieved by doing so. The reverse will be the case for electronic forms with no need to retain a physical signature (i.e. an electronic file will be created).

As a general guide to making a decision, consider the following:

- is there clear direction and guidance for keeping the information – if yes proceed to next question, if no – do not create a file as you probably do not need to keep it;

- is it stored elsewhere in the organisation and accessible e.g. a database – if no proceed to next question, if yes – do not create a file as if you are required to produce it you can get it from another source;

- is the information for internal administration (audit) or outward facing – if inward proceed to next question, if outward facing it should be stored in the appropriate electronic file in the topical area of the Corporate file plan;

- is the form required in hard copy – if yes, create a physical file, otherwise create electronic.

Invoice files

Guidance from Finance is that there is no requirement on business areas to store copies of invoices, and that it might be preferable if you did not. The official, auditable record of such invoices ought to be on SEAS. However, it is accepted that business areas may prefer to retain their own copies for the purposes of answering queries, re-ordering goods and services, or costing. Since these documents are not part of the official record and are not subject to audit, you should not create an electronic file to house them in eRDM. Since they still require to be managed, however, it is recommended that a paper file be created for them instead.

Attendance monitoring

It is a requirement, for audit purposes, that Heads of Branches/Units must ensure that staff attendance records are retained for a period of 3 years. These include Flexible Working

Hours, overtime and annual leave records. A paper file should be created in eRDM to hopuse these.

Documents in other formats

Documents in any of the following formats could be records:

- audio and video tapes;
- compact discs;
- photographs;
- maps and plans;
- microfiche and microfilm.

You should document the existence and location of such material in the appropriate electronic file in eRDM, so that it can be managed and ultimately disposed of together with the file.

Databases

Not all databases will merit the status of a corporate record. If a database provides evidence of activities or decisions or tells the story of how a business area went about an activity or why a particular decision was made, then it should be regarded as part of the corporate record and managed accordingly.

A word table has been developed which should be completed by Business owners for existing databases not already recorded or during the Business Analysis phase of database design and development. This will help determine whether the database should be part of the corporate record and what records management should be applied to it. The structure of the table has been based on the SE metadata set, selecting elements appropriate for databases. The completed table should be submitted to the Information Management Unit. This Objective link will take you to a blank copy and also to a few of the many databases for which we have some level of description:

In general, active/live databases and large linked spreadsheets that are designed to be accessed by a number of people at one time should not be stored in eRDM. The system can be used to store snapshots of them. Snapshots are usually taken periodically, to reflect changes in data over time, but should not be used as backups, more just a reflection of a set of data at a certain point in time. Data owners are responsible for deciding when that should be. eRDM can also store reports generated by these systems and any associated documentation such as design or user guides etc.

Calendar

Calendar items such as Tasks, Meeting Requests and Calendar entries may be saved into the appropriate eRDM electronic file if they contribute to the evidential record of business activity or the conduct of affairs.

4. The review and disposal of records

4.1 Organisation and responsibilities

An annual records review is undertaken centrally by the Appraisal staff within the RM Team.

Files created in eRDM are allocated an appropriate disposal according to the file type selected. See Appendix 1 for the SE Model Records Schedule. This schedule also applies to pre-eRDM paper records.

The review of protectively marked paper files (outwith Victoria Quay, which has central storage facilities for such files up to Confidential level) is the responsibility of the branch owning the files.

4.2 When can a file be reviewed?

A file can be reviewed up to three times in its existence.

- **At Closure**
  The long-term value of a file may not be clear until closure. The majority of records should not be destroyed earlier than five years after the date of the last document but records containing only invoices, circulars, or routine correspondence may be destroyed sooner – please see example records schedule at Appendix 1.

- **First Review**
  Where a decision is not obvious at the time the file is closed, the file may be marked for re-examination up to five years after its closure date. A disposal decision should be possible at this point.

- **Second Review**
  Occasionally, a second review will be necessary and this is scheduled for up to 25 years after the creation date of the file.

4.3 How are decisions made?

Most records disposition decisions are based on the standard Records Disposal Schedule (see example Schedule at Appendix 1).

However, branches may agree schedules with RM Team which refer specifically to branch files if there is a business or legislative requirement to do so.

The Records Schedule is used:

when a file is created,
- to ensure that it is assigned to the appropriate file type;
- to note disposal instructions where this is possible;

when a file is closed,

- to determine the retention or disposal action;

Many older files which do not fit into Schedule categories require examination. No decision is based solely on the file title.

Preservation in NAS

Files passed to the National Archives of Scotland (NAS) for historical preservation are made available to the public immediately, unless they have been marked as having an exemption applied to them under FOI. In the case of paper files, branches are able to borrow back preservation files temporarily from NAS.

Protectively marked paper files

Declassification of protectively marked paper files is compulsory before files are passed to NAS. Further information on the protective marking used in SE is available from the Security Branch website.

Files not declassified at closure are:

- marked for review as appropriate and retained in the Branch;
- re-assessed at regular intervals to determine whether protective marking should be continued;
- marked for destruction or preservation on a given date, where this is possible;

When declassifying:

- protectively marked documents received from other Departments are declassified only with the approval of the originating Department (or its successor) unless the file has reached Second Review (see above);
- each protectively marked paper is examined with a view to declassification and is marked accordingly;
- protective markings on the front cover of the file are struck out, signed and dated by the officer concerned.

Officers who are authorised to downgrade are:

SECRET	C1 or above;
CONFIDENTIAL	B2 or above;
RESTRICTED	B1 or above.

4.4 Closed files in NAS

Preserved files in NAS custody are automatically released to the public domain under the Freedom of Information (Scotland) Act 2002 unless an exemption allowed for by the Act has been indicated. However, NAS holds large numbers of files still closed under the 30-year closure rule which pre-dated FOI, all of which require to be reviewed for information which is exempt under the FOISA before they can be opened. NAS have agreed with the Scottish Information Commissioner a process of reviewing the "closed" files that, although proactive, will nevertheless take several years to complete. SE Departments are therefore encouraged to consider reviewing their files to accelerate the process of opening files, and reduce the possible burden of FOI requests (requests to see "closed" files at NAS are referred back to the originating Department for a decision on release). For guidance on how to review such files, please see "Guidance on reviewing archived files."

4.5 Paper files: what happens if a file seems to be lost?

If a file appears to be lost, the following steps should be taken:

- branch staff confirm the latest location marking with RM Team;
- branch staff thoroughly search the local working area and, at the same time, RM Team arranges to have central storage areas searched by paperkeeping staff;
- RM Team issues a search list for circulation through all offices of the customer branch, to be signed by every branch officer confirming they have checked they do not have the file;
- if the file still cannot be located, an "official search" can be requested in writing by a branch officer at level B1 or above to RM Team. This involves paperkeeping staff organising a thorough search of all files in storage as well as all cupboards, desks, cabinets, briefcases, etc on branch premises. This will be carried out during working hours if resources permit, but it may be necessary to conduct it outside normal working hours. If the file is discovered on branch premises in the latter instance, the branch will be liable for overtime costs.

NB Many thousands of files are stored centrally, and such a time-consuming search should be undertaken only after all other possible solutions have been exhausted.

5. Document handling

5.1 Document naming

"Life's far too short" – "I've got much more important things to do" – "I just don't know how to do it anyway". These are some of the excuses that result in documents being filed into the system with names such as "RE:" or "DOC1.DOC" or "Letter".

Of course, you might save your time now at the cost of your own or someone else's time later on. One of the major reasons why the Scottish Executive chose to go down the path of procuring an eRDM system was precisely because colleagues reported that they spent too much time trying, often unsuccessfully, to find crucial information. If you don't pay attention

to naming your documents, you could be helping to ensure that we continue wasting time and resource on this fruitless task.

What can you do to help yourself?

Read eRDM Information Sheet #16. We can't specify exactly how you should name documents – the business of the Executive is too diverse for a "one size fits all" approach – but this sheet lays out some principles to bear in mind. Get these into your head and it will become clearer what kind of terms to use when naming.

A little preparation will help a lot. Why not get together with your colleagues and set out some local ground rules? Especially in a file where a lot of the content repeats, it can be a real timesaver to have a simple formula for generating names.

Emails can be friendly. If you use the subject line of your emails better, they will be easier to file. True, that doesn't help you cope with the emails you receive that just have a subject line of "Stuff" – but you will be doing your bit to encourage good practice, and your correspondents will appreciate it if they can understand quickly what your mail is about.
Seek out shortcuts. Have you already typed the title in the document itself? Highlight it and press Ctrl-C to copy text to the clipboard – then press Ctrl-V to paste it into the Name field of the eRDM Save As screen.

Be a copycat. If you or others have already saved a document like this one, save yourself some typing. Find a relevant document in eRDM – right-click and choose Properties – the properties box comes up with the Name highlighted, so just press Ctrl-C and then ESC to close the properties box. Now you can press Ctrl-V to paste that title into the Name field of the eRDM Save As screen and edit it to make it distinct.

5.2 Version control

Documents that are stored in Objective exist in two states: Draft or Published. Objective manages draft and published documents using version control. A document is termed as Draft when it is under review and subject to change. Draft versions of a document are numbered in decimals, e.g. 0.1, 0.2, 0.3, 0.4, 2.3, 5.6 etc

Published versions of a document are numbered in whole numbers, e.g. 1.0, 2.0. When a document is edited following publishing, the version number is incremented again with further decimals, e.g. 1.1 indicates one published version followed by one draft, 2.4 indicates two published versions followed by four drafts.

Documents can also be in edit mode, which means that the latest version is available only to you, the editor. This stops two or more people editing the same document at once and hence someone overwriting someone else's work. It's important that when you finish your edits that you release the document so that others can access it, even if you are not expecting anyone else to make changes to it.

The following document life cycle explains in simple steps version control. This is a good example of how a document may progress from start to finish. This is merely an example and not all documents will necessarily have all of these steps/versions.

Document Life Cycle		
Step 1	Create new document Save document	version 0.1
Step 2	New version with changes Save and Release	version 0.2
Step 3	New version format changes Save and Release	version 0.3
Step 4	Publish for approval / comments	version 1.0
Step 5	New version with comments Save and Release	version 1.1
Step 6	Publish final version	version 2.0

5.3 Copyright

Copyright or licensing restrictions apply to most published material whether printed or electronic, and to unpublished material produced outside the Scottish Executive.

You are generally free to copy and store Crown Copyright and Parliamentary Copyright, material (which includes virtually all information produced by or for the Executive and other Government bodies) for use within the Executive.

Actions which may constitute a breach of copyright include: reusing other people's material; quoting copyrighted material without acknowledgement or in a way which distorts the meaning of their words; photocopying or scanning material; keeping a copy in our files; downloading an article from the web or from a commercial database and storing it on our systems, or even emailing it to someone else.

Copyright and eRDM

The eRDM system introduces no new restriction on what staff can do in respect of copyright material: there are practices now (such as copying and filing newspaper cuttings) that breach or potentially breach copyright law or licence restrictions. In some respects there is additional stringency about the keeping of digital as opposed to paper copies. But the basic fact is that electronic systems make copyright breaches much more serious, partly because we share most of our eRDM records with many other people, and partly because it is harder to keep track of electronic copies once they are created. It is also much easier to check our electronic stores for breaches of copyright – so, crudely, we are simply more likely to get found out.

I want to…

…copy text from a book or periodical:
In general, you can do this under the terms of our copyright licence so long as it is for our "internal information purposes". This right is limited in a number of ways – for example, no more than 5% of an item may be copied (or 1 chapter or a book, or 2 whole articles from a periodical issue). It is not acceptable to copy in order to avoid procuring another copy of the item.

…copy text from a newspaper or magazine:
In general, you can copy text for internal business use – i.e. to circulate to others for information - under the terms of our newspaper licence. You must not do this systematically to allow the Executive to avoid ordering a separate copy of the publication.

…scan text from a book or periodical:
You can scan text (subject to the same limitations on quantity etc as above) in order to be able to keep it as a record or to circulate to colleagues, but is not acceptable to scan and manipulate text, for example by OCR (optical character recognition).

…scan text from a newspaper or magazine:
This is permitted – for example, for circulating information to colleagues – but any digital copies must be destroyed within 7 days.

…copy or scan photographs, illustrations, or advertisements from a book or periodical:
There is no specific restriction in our licence to prevent this, but such material is very often the copyright of a third party who has given permission to the book's publisher for its use. We would have to seek the third party's agreement to copy or re-use it.

…copy or scan photographs, illustrations, or advertisements from a newspaper or magazine:
This is not permitted.

…store material from a copyright work in our files (electronically or on paper):
It depends on the material and how it was supplied. If someone writes to us or supplies us with a tender document, application for a grant, or a consultancy report, they can be presumed to expect us to store that material as part of our business records. If they supply it as a commercial publication, they would generally not expect or allow us to retain the copy except possibly in the SE Library. See the section Storing references below on how to keep a reference to published material in our files.

Don't forget that even if we can hold something on our files, that doesn't entitle us to use it as we like. It's still someone else's intellectual property and we cannot misuse it or give it away or sell it without their permission – any more than we are at liberty to damage or give away or sell any physical possessions they may entrust to us.

Unpublished material

Something does not have to be published to be subject to copyright: it does not even have to be marked with the copyright symbol (©). In general, work done on the Executive's behalf is our copyright, but it depends on the contract under which the work was carried out. If you have information from a member of the public, from a consultant, or from another organisation, which you wish to reuse or quote from, you should consider the following:

- Does the Executive own the copyright? It is likely that we do if we produced the work or commissioned it – but in the latter case you may need to check the terms of the contract to see if rights have been retained, assigned, or waived.

- Has the Executive set out its intentions? If we ask companies to submit information to us and we intend to store or reuse that information, we should make it clear when we request it what it is we intend to do with it.

- Would quoting be "fair dealing"? Quoting a passage of text (a proportion of the whole) is generally acceptable, so long as you do not misrepresent a person's views and attribute your quote where necessary to do so. Copying an illustration or chart is probably not legitimate without permission. Summarising the whole thing without attribution is definitely copyright theft.

- Would it be more courteous to ask? Even if you could argue "fair dealing", it may be much better to ask if you can reuse material. It ensures that third parties know how their intellectual property is being used, and means they are more likely to trust us in the future.

Non-print material

The Executive holds no specific licences for the copying of non-print materials such as artworks, photographs, audio and video (in any formats). However, copyright restrictions apply and you should always consider the rights of the copyright owners before copying or reusing any items of this kind.

Storing references

Where an article is of particular significance to, for example, a decision-making process, you should record the existence of that article and a brief summary of its main points in a document in the file. The best way is to create a Word document in which you record the details – at a minimum, the article's title; author's name; publisher; date or issue number. There is also guidance on citing published articles in documents that you are producing on the intranet.

For a website page, you can store a URL in the Word document (or directly as a document in eRDM), but you should remember that there is generally no guarantee that web pages will be maintained over time. A brief summary of the item may be more effective.

Accessing articles

If you need to refer to an article which has been referenced as described above and you cannot get it yourself (some newspapers maintain free web archives of some or all of their content), then contact the Library (X44556 or email Library) who will be able to access it through the commercial databases to which they subscribe. Note that commercial databases do not generally archive photographs, illustrations or advertisements.

We are the Government – can't we do more?

The Executive pays substantial sums for our two significant copyright licences, from the Copyright Licensing Agency (CLA – for books and periodicals) and the Newspaper Licensing Agency (NLA – for newspapers and magazines); the limitations listed above reflect the terms of those licences. These licences together cost us around £150k every year. Without them, however, we would have to rely on basic "fair dealing" rights under the 1998

Copyright, Designs and Patents Act to copy published information at all, and that would leave us very vulnerable to action for breach of copyright.

These are exactly the same type of licences used by all Whitehall departments, multinational companies, and pretty much all other commercial and non-commercial organisations. The publishers who use these agencies are not open to separate discussions with individual organisations on general licences.

There is scope to negotiate a special licence for use or copying of a particular work – at a price – but there has to be a strong reason to make this worthwhile.

Bear in mind that not all publishers are covered by the CLA and NLA licences, and that these licences do not cover maps, workbooks, or printed music. In these circumstances you must only rely on protection under the Act or on negotiating a special licence.

The Scottish Executive's CLA and NLA licences do not extend to the Scottish Executive's Agencies and Public Bodies.

To make or retain copies of copyright material without explicit agreement of the copyright owner or in breach of our licences will lay the Executive open to action for breach of copyright. Such actions have been successfully brought against some very prominent organisations, and substantial damages have been levied.

If you wish to read more about the UK copyright regime, you may find Intellectual-property.gov.uk interesting. You can get further information and help about copyright restrictions and our licences from the Information Management Unit (IMU), and on the intranet.

5.4 Scanning

The SE policy is that the official record will be the electronic image of documents stored on eRDM and there is generally no need to retain hardcopies.

Of importance however, is the need to ensure, that the authenticity and integrity of the image of relevant documents can be "proven", e.g. should the document be required as evidence in the event of a legal challenge. In many cases, certified copies of locally scanned documents will be sufficient, however, use of central scanning arrangements (which can be undertaken to BIP 0008 standards) will provide a greater level of assurance. In exceptional circumstances (as identified in the formal risk assessment) original hardcopy can also be retained for a period to provide additional assurance.

The decision on what is the most appropriate scanning method (see below) or whether, exceptionally, to retain hardcopy documents, is for your business area to make, based on an objective assessment of the risks, costs and potential consequences involved, e.g. likelihood and impact of legal challenge, contractual dispute, fraud, etc.

SE Audit Services and Audit Scotland have agreed that the SE will not need to retain hardcopies of documents for their purposes and that electronic images will suffice as long as a well controlled data capture (scanning) process commensurate with the level of identified

risk is in place. Therefore the electronic image used in Scottish Executive business processes should be sufficient evidence for these auditors.

Risk assessment

All business areas will be asked to complete a risk assessment prior to deciding on the scanning solution that will be implemented. The risk assessment should be completed in a workshop. This can be supported by the eRDM Implementation Team if required.

The risk assessment should review, amongst other things:

- the likelihood of documents from a business process being submitted to contractual or legal dispute, e.g. challenged in court, and the impact (financial or otherwise) that an adverse outcome due to the inadmissibility of a scanned image as evidence would have on the Scottish Executive; and

- the likelihood and impact of fraud, or reputational embarrassment, arising from actions/decisions being taken subsequently in a business process on the basis of electronic images which have been altered.

The outcome of the risk assessment will help you to decide if your documents should be:

- scanned locally;
- scanned centrally by the CSU;
- scanned centrally to BIP0008 standard by the CSU; or
- scanned by the CSU but also retained by the CSU in hardcopy for an extended period. If the hardcopy is retained for an extended period, the scanned image remains the official record.

These options along with more information can be found in the eRDm Scanning Risk Assessment Guidelines.

Appendix 1: Records Schedule

File Types	Scope	Disposal
Policy	Documents and records relating to development of policy advice on [a topic], including submissions to Ministers, Ministerial views, briefing and support to Ministers in the exercise of their functions, informal research and stakeholder consultation	Close after 5 years Review on closure
Parliamentary Questions	Documents relating to Scottish Parliamentary Questions about a particular topic	Close after 1 year Destroy after 5 years
Correspondence	Correspondence relating to the SE's policies or position on a particular topic. **"Correspondence" files are created for information of temporary interest - e.g. requests for information on policy relating to a particular subject**	Close after 1 year Destroy after 5 years
Ministerial Engagements	Documents and records relating to Ministerial engagements, meetings and visits, including briefing material, where those engagements relate to [a particular topic/event/organisation]	Close after 1 year Destroy after 5 years
Consultations	Documents and records relating to a formal consultation exercise on SE policy on a particular topic.	Close after 5 years Preserve after 5 years
External Committees	Documents and records relating to (Committee or Working Group), including terms of reference, membership, agendas, papers and minutes. **NB: Use for committees with membership extending beyond the Scottish Executive and its associated public bodies**	Close after 5 years Preserve after 5 years
Primary Legislation	Documents and records relating to the planning, drafting and passage of the Bill relating to [name of Bill/Act]	Close after 5 years Preserve after 5 years
Subordinate Legislation	Documents and records relating to the planning, drafting and development of Statutory Instruments etc relating to [Name of Act/Bill], including setting of fees etc	Close after 5 years Preserve after 5 years

File Types	Scope	Disposal
Sewel Procedures	Documents and records relating to the planning, drafting and development of Sewell Motions	Close after 5 years Preserve after 5 years
Procuring Research	Documents and records relating to the procurement of formal research into a particular research topic/project	Close after 5 years Preserve after 5 years
Published Research	Documents and records relating to the publication of formal research, statistical and other general information relating to a particular research topic.	Close after 5 years Destroy after 5 years
Public Bodies : setting up	Documents and records relating to the setting up of [public body] (directly supported public body whose functions primarily relate to a particular subject), including agreement of objectives; approval of initial plans and strategies; approval of initial budgets and first round of appointments.	Close after 5years Preserve after 5 years
Public Bodies : administration	Documents and records relating to the general administration of public body (directly supported public body whose functions primarily relate to [a particular subject/area])	Close after 5 years Review on closure
Public Bodies : monitoring	Documents and records relating to the monitoring of a public body (directly supported public body whose functions primarily relate to [a particular subject/area]), including approval and monitoring of budgets.	Close after 5 years Destroy after 10 years
Public Bodies : plans and strategies	Documents and records relating to the development, approval and promulgation of plans and strategies relating to a public body (directly-supported public body whose functions primarily relate to [a particular subject/area])	Close after 5 years Review on closure
Public Bodies : appointments	Documents and records relating to the second and subsequent rounds of appointments to a public body (directly-supported public body whose functions primarily relate to [a particular subject/area])	Close after 5 years Destroy after 15 years
Grant Schemes	Documents and records relating to payment of grants to an organisation/body under [grant name] scheme, including assessment of eligibility, audit and effectiveness measures.	Close after 5 years Review on closure
Casework	Documents and records relating to management and processing of [type of case] cases	Close after 5 years Destroy after 10 years
FOI	Documents and records relating to management and processing of FOI requests, the	Close after 1 year

File Types	Scope	Disposal
	consideration of possible exemptions and subsequent appeals	Destroy after 2 years
Budgets	Documents and records relating to the planning, agreement and monitoring of the budgets for [a particular area/body of responsibility] within the Scottish Executive	Close after 5 years Destroy after 10 years
Accounts Payable	Documents and records relating to the purchase, receipt and payment of goods and services for [goods/services] within the Scottish Executive	Close after 5 years Destroy after 7 years
Audit	Documents and records relating to the management of the audit of [organisation/agency] within the Scottish Executive, including terms of reference, programmes/plans, correspondence, minutes of meetings, working papers and report.	Close after 1 year Destroy after 6 years
Business Plans	Documents and records relating to management planning for [business area] within the Scottish Executive, including plans and strategies, manpower requirements, training, work plans, monitoring	Close after 5 years Destroy after 5years
Business Procedures	Documents and records relating to the business procedures of [business area] within the Scottish Executive, including operating instructions and manual	Close after 5 years Preserve after 5 years
Internal Committees	Documents and records pertaining to [a particular] Committee or Working Group, including terms of reference, agendas, papers, minutes etc). **NB: Use for committees whose membership does not extend beyond the Scottish Executive and its associated public bodies**.	Close after 5 years Review on closure
Projects	Documents and records relating to the development of [particular project] within the Scottish Executive.	Close after 5 years Destroy after 10 years