

Notice of meeting and agenda

Corporate Policy and Strategy Committee

10.00am, Tuesday, 4 October 2016

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend

Contact

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1. Order of business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 Minute of the Corporate Policy and Strategy Committee of 6 September 2016 – submitted for approval as a correct record.

5. Forward planning

- 5.1 Corporate Policy and Strategy Committee Key Decisions Forward Plan November 2016 to January 2017 (circulated)
- 5.2 Corporate Policy and Strategy Committee Rolling Actions Log (circulated)

6. Business Bulletin

- 6.1 If any

7. Executive decisions

- 7.1 Information Governance Policies - report by the Chief Executive (circulated)
- 7.2 Business Case for the Management Transfer of Secondary School Sport Facilities to Edinburgh Leisure - Progress Report – report by the Acting Executive Director of Communities and Families (circulated)
- 7.3 EU Referendum Result – Managing Impacts in Edinburgh – report by the Chief Executive (circulated)
- 7.4 Unity in Diversity Summit – report by the Executive Director of Place (circulated)
- 7.5 Internal Audit Quarterly Update Report: 1 January 2016–31 March 2016 – referral from the Governance, Risk and Best Value Committee (circulated)

7.6 Locality Improvement Plans 2017-2022 – referral from the City of Edinburgh Council (circulated)

8. Routine decisions

If any

9. Motions

If any

Kirsty-Louise Campbell

Interim Head of Strategy and Insight

Committee Members

Councillors Burns (Convener), Ross (Vice-Convener), Barrie, Burgess, Child, Edie, Godzik, Ricky Henderson, Hinds, Lewis, Main, Mowat, Rankin, Rose and Rust.

Information about the Corporate Policy and Strategy Committee

The Corporate Policy and Strategy consists of 15 Councillors and is appointed by the City of Edinburgh Council. The Corporate Policy and Strategy Committee usually meets every four weeks.

The Corporate Policy and Strategy Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Louise Williamson, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4264, e-mail louise.p.williamson@edinburgh.gov.uk .

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/cpol.

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If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services on 0131 529 4105 or committee.services@edinburgh.gov.uk .

Corporate Policy and Strategy Committee

10.00 am, Tuesday, 6 September 2016

Present

Councillors Burns (Convener), Ross (Vice-Convener), Aldridge, Barrie, Burgess, Child, Godzik, Ricky Henderson, Hinds, Lewis, Main, Mowat, Rankin, Rose and Rust.

1. Minute

Decision

To approve the minute of the Corporate Policy and Strategy Committee of 9 August 2016 as a correct record.

2. Corporate Policy and Strategy Committee Key Decisions Forward Plan October to December 2016

The Corporate Policy and Strategy Committee Key Decisions Forward Plan for October to December 2016 was presented.

Decision

To note the Key Decisions Forward Plan for October to December 2016.

(Reference – Key Decisions Forward Plan October to December 2016, submitted.)

3. Corporate Policy and Strategy Committee Rolling Actions Log

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

- 1) To ask for an update/completion date for the following actions:
 - Action 1 - The Future Management and Ownership of Easter Craiglockhart Hill Local Nature Reserve (LNR) – motion by Councillor Burns
 - Action 5 - Sustainable Edinburgh 2020 Annual Report 2014-15
 - Action 7 - Common Good Asset Register
- 2) To agree that a report on Action 8 – Citywide Review of Council-owned Sports Facilities be submitted to the next meeting of the Committee.
- 3) To agree to close the following action:
 - Action 2 - Follow-up Report 2014 Edinburgh People Survey

4) To otherwise note the remaining outstanding actions.

(Reference – Rolling Actions Log, submitted.)

4. Transformation Programme Update – Presentation by the Interim Head of Strategy and Insight

Kirsty-Louise Campbell, Interim Head of Strategy and Insight gave an update on the Transformation Programme in line with the strategic role of Corporate Policy and Strategy.

Details were provided on the current position of the implementation plan which included delivery to date, savings targets and the phasing of organisational reviews. Service areas had been working to bring in non staff savings and maximising savings within management costs.

A further review of Council services was still to be carried out to enable full savings to be achieved. The embedding transformation programme had been developed to help re-shape service delivery in the transformed service area over the coming 12 months.

Decision

To note the presentation.

5. Recruitment and Selection Procedure – Senior Officers

Details were provided on a proposed minor change to the Recruitment and Selection Procedure for Appointment to Posts of Chief Executive Officer, Executive Director and Head of Service, to allow sufficient flexibility to assess multiple candidates, improve candidate experience and increase overall validity and reliability of candidate selection.

Decision

To agree the minor adjustments to the Procedure for the Recruitment and Selection of Senior Officers as detailed in the Appendix to the report by the Chief Executive.

(Reference – report by the Acting Executive Director of Resources, submitted.)

6. Open Data: Programme

An update was provided on progress of the Open Data programme which included activities carried out to date and progress made in achieving the agreed actions. Details of the proposed next steps were outlined.

Decision

- 1) To note the activities that had taken place to support the Open Data programme.
- 2) To note the progress made on the actions from the Committee meeting on 23 February 2016.
- 3) To approve the next steps as outlined in the report by the Chief Executive.

(References – Corporate Policy and Strategy Committee 23 February 2016 (item 4); report by the Chief Executive, submitted)

7. Meantime Use of Vacant Property – Response to a Motion by Councillor Corbett

In response to a motion by Councillor Corbett, details were provided on options for embedding meantime use as a routine option for long term empty property.

Decision

- 1) To note that the Council had successfully attracted a number of temporary uses to vacant land and buildings.
- 2) To note that the Council would continue to routinely consider the opportunity to secure temporary uses, where appropriate, on land and buildings which become vacant in the future.
- 3) To note that Council would keep a register of requests received for temporary users.
- 4) To note that an annual summary of licences agreed for temporary uses on Council property would be reported to the Finance and Resources Committee.
- 5) To note that officers would proactively communicate the availability of meantime rents of vacant Council property and land at Locality level.
- 5) To discharge the motion by Councillor Corbett.

(References – Act of Council No 14 of 19 November 2016; report by the Acting Executive Director of Resources, submitted.)

8. Maternity, Paternity, Adoption and Shared Parental Leave

The Committee had approved the Parental Leave Policy on the Birth or Adoption of a Child on 24 February 2015.

Details were provided on proposed updates to the policy following the introduction of a new statutory right on Shared Parental Leave (SPL) which came into effect on 5 April 2015.

Decision

To agree the changes to the Council's Parental Leave Policy on the Birth or Adoption of a Child as detailed in the report by the Acting Executive Director of Resources.

(Reference – Corporate Policy and Strategy Committee 24 February 2015 (item 7); report by the Acting Executive Director of Resources, submitted)

9. Emergency Motion by Councillor Mowat - General Switchboard and Website Enquiries

The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Committee to give early consideration to this matter.

The following motion by the Councillor Mowat was submitted in terms of Standing Order 16:

“Committee is concerned by reports about difficulties contacting the Council; specific concerns that have been raised include: the length of time taken to answer a call ; further delays experienced when transferring calls leading to timings of up to 45 minutes to speak to the relevant person: lack of response to the Report It online reporting facility; Committee therefore instructs a report to Committee in two-cycles with the following information:

1. What should people contacting the Council by a) telephone and b) online through the Report It channel experience i.e. what is the design of the user experience and how long should this take in the case of telephone contact and for b) what happens to the online reports and how are these distributed and monitored and resolved;
2. What performance reporting is produced;
3. Who receives the performance reporting;
4. How many abandoned calls have been recorded;
5. How many calls have been received; detailed by week and how long have these calls taken (presentation in a table showing <5mins, <10 mins, <15 mins in increments of 5 minutes to over an hour will be acceptable).”

Decision

To approve the motion by Councillor Mowat.

Corporate Policy and Strategy Committee – 4 October 2016

November 2016 to January 2017

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
1.	Welfare Reform	8 November 2016		Acting Executive Director of Resources Lead officer: Sheila Haig, Acting Council Income Manager sheila.haig@edinburgh.gov.uk Gillian Ritchie, Welfare Reform Assistant gillian.ritchie@edinburgh.gov.uk	CO24-26
2.	Festival and Events Core Programme 2017	8 November 2016		Executive Director of Place Lead officer: Lynne Halfpenny, Director of Culture lynne.halfpenny@edinburgh.gov.uk	CO24-26
3.	General Switchboard and Online Enquiries	8 November 2016		Acting Executive Director of Resources Lead officer: Sheila Haig, Acting Council Income Manager sheila.haig@edinburgh.gov.uk	CO24-26

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
4.	Physical Activity for Health Pledge	8 November 2016		Chief Officer, Edinburgh Health and Social Care Partnership Lead officer: Rob McCulloch Graham rob.mcculloch-graham@edinburgh.gov.uk	CO24-26
5.	Resilience – Annual Report	8 November 2016		Chief Executive Lead officer: Kirsty-Louise Campbell, Interim Head of Strategy and Insight kirstylouise.campbell@edinburgh.gov.uk	CO24-26
6.	Sustainable Edinburgh 2020 Annual Report – Public bodies Climate Change Duties	8 November 2016		Chief Executive Lead officer: Kirsty-Louise Campbell, Interim Head of Strategy and Insight kirstylouise.campbell@edinburgh.gov.uk	CO24-26
7.	High Performance Working	8 November 2016		Acting Executive Director of Resources Lead Officer: Stewart Cassie, Employee Relations Officer stewart.cassie@edinburgh.gov.uk Jo Guz, Senior OD Leader jo.guz@edinburgh.gov.uk	CO 24-26

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
8.	E-cigarettes (vapourisers) - Update on Health Considerations	6 December 2016		Acting Executive Director of Resources Lead officer: Susan Tannahill, Council Health and Safety Manager susan.tannahill@edinburgh.gov.uk	CO24-26
9.	Thundering Hooves 2.0: Council Actions and 2nd Annual Health Check	6 December 2016		Executive Director of Place: Lead officer: Lynne Halfpenny, Director of Culture lynne.halfpenny@edinburgh.gov.uk	CO24-26
10.	Procurement Strategy 2017-2020	6 December 2016		Acting Executive Director of Resources Lead officer: Tammy Gillies, Delivery and Pipeline Manager tammy.gillies@edinburgh.gov.uk	CO24-26

Corporate Policy and Strategy Committee

4 October 2016

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	06.11.12	The Future Management and Ownership of Easter Craiglockhart Hill Local Nature Reserve (LNR) – motion by Councillor Burns (Agenda for 6 November 2012)	To provide information on the possibility of community ownership and management of the woodland and open space in the area in the longer term and how this might be achieved, with ownership transferring to the Council as an interim measure, with a view to the eventual transfer of ownership and management, to a community organisation.	Executive Director of Place	Spring 2017		Discussions are continuing with the developer and these must be concluded before any engagement on the management and ownership of the land can progress
2	12.05.15	Physical Activity for Health Pledge	To note that an update on progress will be presented to this	Chief Officer, Edinburgh Health and Social Care	October 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			considered by Committee advising of any further management action.				
4	09.06.15	Sustainable Edinburgh 2020 Annual Report 2014-15	To acknowledge the work programme for SE2020 for the coming year 2015/16, and add a request to the Edinburgh Sustainable Development Partnership that a clear Action Plan setting out aims, objectives, targets, timescales and responsibilities from the present to 2020 be developed and presented as soon as possible.	Chief Executive	November 2016		Report to go to Committee on 8 November 2016.
5	04.08.15	Policies - Assurance Statement	To note that a further report on wider Council policies would be submitted to Committee in due course.	Acting Executive Director of Resources	Ongoing		Policies are reviewed on an ongoing basis. Policies Assurance Statements are

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							produced when there are little or no changes proposed to a policy.
6	04.08.15	Common Good Assets Register	<p>1) To note that further reports would be brought to Committee:</p> <p>a) once Scottish Ministers' guidance about common good registers had been issued; and</p> <p>b) to consider the implications arising from compliance with the Land Registration (Scotland) Act 2012.</p>	Acting Executive Director of Resources	December 2016		<p>Work is ongoing on the Common Good register and it is anticipated that an update report will be presented to the Committee in December 2016.</p> <p>Scottish Ministers guidance is not expected until summer 2016.</p> <p>Reports to Committee will not be able to be submitted until Q3 2016 earliest. Consequently, completion of the register itself will</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			2) To note that the common good definition in Section 3 of the report by the Acting Director of Services for Communities was not intended to be exclusive and that there would be clarification of the definition with the next report to Committee.				not take place until sometime 2017.
7	29.09.15	Citywide Review of Council-owned Sports Facilities and Services - Key Findings and Recommendations	To request a progress report within six months, including a timeline for a phased changeover.	Acting Executive Director of Communities and Families	17 May 2016	17 May 2016	This action was closed on 17 May 2016
	17.05.16	Citywide Review of Council Owned Sports Facilities and Services	To instruct a further report to be presented to the Committee on 14 June 2016 detailing the proposed way forward	Acting Executive Director of Communities and Families	14 June 2016	14 June 2016	This action was closed on 14 June 2016

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
	14.06.16	Business Case for the Management Transfer of Secondary School Sport Facilities to Edinburgh	and timetable. To note the progress made by officers and Edinburgh Leisure in creating a joint detailed specification and business case as soon as finalised, as per the recommendations of the Committee on 28 September 2015, and agree that these and details of the change programme would be reported to Committee by Autumn 2016.	Acting Executive Director of Communities and Families	Autumn 2016		
	06.09.16		To agree that a report be submitted to the next meeting of the Committee	Acting Executive Director of Communities and Families	October 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
8	29.09.15	Managing Customer Contact in a Fair and Positive Way - Annual Review	To agree to receive an annual update.	Chief Executive	Ongoing		
9	29.09.15	Public Bodies Climate Change Duties Report 2014-15	To note the omission from the Council's Climate Change Duties Report of any carbon reduction projects and therefore request an update report on these projects once they were devised.	Chief Executive	Ongoing		
10	03.11.15	Carbon, Climate & Sustainability Policies - Assurance Statement	To agree to update the Fair Trade and Resource Use Policy for Committee consideration within 12 months	Chief Executive	November 2016		
11	03.11.15	ICT Acceptable Use Policy - Annual Review	To note that the next review should be undertaken with a view to reporting to Committee in November 2016.	Chief Executive	November 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
12	01.12.15	E-cigarettes (Vapourisers) - Update on Health Considerations	<p>1) To note that any material changes which developed, such as Scottish or UK Government advice or significant public health research findings, would be reported to Committee, together with any implications for the Smoke Free Policy.</p> <p>2) To note that an annual report on the policy would be provided by the end of 2016 which should explicitly highlight any developments on e-cigarettes with regard to additional evidence on health issues.</p>	Acting Executive Director of Resources	6 December 2016		
				Acting Executive Director of Resources	6 December 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
13	23.02.16	Avoidance of Bullying and Harassment at Work Policy - Review	To note that the next review should be undertaken with a view to reporting to Committee in February 2017.	Acting Executive Director of Resources	February 2017		
14	12.04.16	2015 Edinburgh People Survey Headline Results	To note that an update would be provided in 6 months as part of the Council's Business plan.	Chief Executive	October 2016		
15	17.05.16	Welfare Reform - Update	To request that the findings and recommendations of the review into welfare advice services be then reported to this Committee.	Acting Executive Director of Resources	Ongoing		
16	14.06.16	Locality Working - Progress Report	To call for a report back to the Corporate Policy and Strategy Committee at the appropriate time in consultation with Councillor Main and other elected members on the locality working governance issues raised	Executive Director of Place	Ongoing		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
17	09.08.16	Eurocities AGM and Conference	To note that further information on the benefits of attendance and the decision regarding the 2018 bid would be provided following the event.	Executive Director of Place			
18	06.09.16	Emergency Motion by Councillor Mowat – General Switchboard and Website Enquiries	To instruct a report to Committee in two-cycles with the following information: 1. What should people contacting the Council by a) telephone and b) online through the Report It channel experience i.e. what is the design of the user experience and how long should this take in the case of telephone contact and for b) what happens to the	Acting Executive Director of Resources	November 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>online reports and how are these distributed and monitored and resolved;</p> <p>2. What performance reporting is produced;</p> <p>3. Who receives the performance reporting;</p> <p>4. How many abandoned calls have been recorded;</p> <p>5. How many calls have been received; detailed by week and how long have these calls taken (presentation in a table showing <5mins, <10 mins, <15 mins in increments of 5</p>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			minutes to over an hour will be acceptable)."				

Corporate Policy and Strategy Committee

10am, Tuesday, 4 October 2016

Information Governance Policies

Item number	7.1
Report number	
Executive/routine	
Wards	All

Executive summary

Information is a key asset for the Council. It needs to be managed effectively to maximise value for the Council and its stakeholders, and to manage related risks.

The Council's Information Governance Policy suite has been added to and revised to help ensure compliance with legislative, regulatory and best practice standards, and to promote a culture of openness and transparency.

Links

Coalition pledges
Council outcomes
Single Outcome Agreement

Information Governance Policies

Recommendations

- 1.1 To approve the Information Governance policies set out in appendices 2 to 9 of this report.

Background

- 2.1 Information is a key asset for the Council. It is central to the Council's business processes, decision making and service delivery. It also provides evidence and ensures accountability for Council actions and performance. It is crucial that information is managed effectively to maximise value for the Council and its stakeholders, and to manage related risks.
- 2.2 The effective management of information places significant demands on the Council. In particular, there is a wide ranging, dynamic and complex legal landscape that the Council has to operate in. [Appendix 1](#) details the principal acts, regulations, codes of practice and technical standards concerning information governance.
- 2.3 Compliance with this range of legislation is monitored through various external regulators, including the Scottish Information Commissioner and the UK Information Commissioner. The latter, in particular, has a wide range of enforcement powers where organisations have been found to breach the Data Protection Act 1998. These include powers to impose monetary penalties of up to £500,000 for each breach. The number of organisations, including local authorities, [receiving monetary penalties](#) has continued to increase during 2016.
- 2.4 Information governance is a collection of controls and assurance that provide a coherent, multidisciplinary, approach and structure to the Council's efforts in meeting its legislative and regulatory requirements around its information, while also encouraging the adoption of standards and best practice on an improvement model basis. It covers the use and development of the Council's archives, the quality of its data, the information rights of its citizens, the security of its information, how it processes personal data, how it manages its records, and how it makes its information available for re-use. Overall, it ensures that the Council is creating, managing, using, sharing and disposing of information efficiently, appropriately and lawfully.
- 2.5 Since the initial approval of the Council's Information Governance Policy suite in 2014, the Council's developing information governance arrangements have been subject to:

- 2.5.1 extensive scrutiny from internal and external auditors (e.g. UK Information Commissioner's audit of the Council's data protection arrangements);
 - 2.5.2 legislative changes (e.g. revised re-use of public sector information regulations and the Public Bodies (Joint Working) Scotland Act 2014);
 - 2.5.3 formal approval processes required under legislation (e.g. Council's Records Management Plan); and
 - 2.5.4 Scottish Government initiatives (e.g. Open Data).
- 2.6 The Information Governance Unit, which has responsibility for the day to day operation of information governance within the Council, has been through an organisational review as part of the Council's transformation process during 2016. The revised structure provides a more flexible and responsive approach to information governance, with a renewed emphasis on information risk and assurance. Data quality issues are also being actively addressed through the creation of the Data Services Team under the Strategy & Insight Division.
- 2.7 The issues outlined above have required significant policy review and revision to reflect change and new priorities. These are set out in more detail in the policy descriptions below.
- 2.8 To provide a more comprehensive approach to information governance, new policy areas have been added to the suite of policies around archives, information security and the re-use of public sector information.

Main report

- 3.1 Each Information Governance area has a top level policy, outlined in the paragraphs below. Each policy clearly sets out roles, responsibilities and requirements to ensure compliance with relevant legislation, regulation, standards and best practice.

[Information Governance Policy \(Appendix 2\)](#)

- 3.2 This policy sets out the Council's overarching governance arrangements to ensure that information is effectively managed and properly protected. It clearly defines the roles and responsibilities of all stakeholders who are involved in handling and managing Council information, especially around information risk and information asset management. It has been revised to reflect organisational changes within the Council.

[Archives Policy \(Appendix 3\)](#)

- 3.3 This new Archives Policy sets out the Council's responsibilities and activities in regard to its archives, which are a unique and valuable resource that documents and represents the changing nature of the city over time. They provide the Council with its corporate memory and help to enhance civic and community identity, support long term accountability, and document and protect the rights of citizens.

- 3.4 The policy details the collection, management, preservation and access arrangements of all archives, both physical and digital, created or acquired by the Council. It also supports the Council in complying with its statutory, regulatory and policy obligations around archives, and is an integral part of the UK National Archives Archive Services Accreditation standard.

[Data Quality Policy \(Appendix 4\)](#)

- 3.5 This policy confirms the Council's commitment and approach to improving the quality of its data. The policy has been significantly revised to reflect organisation change and the creation of a Data Services Team within the Strategy and Insight Division. The new team will provide specialist data analytical resources and services, and will help to implement the quality principles and objectives detailed in this policy through the development of Quality Action Plans. In particular, a framework of management arrangements will be developed to assure partners and other stakeholders that the quality of the Council's data is reliable and sustainable.

[Information Rights Policy \(Appendix 5\)](#)

- 3.6 This policy replaces the previous Freedom of Information Policy and formalises the Council's approach to promoting and facilitating the information rights of individuals. While it continues to set out the Council's arrangements for disclosing information under Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, and the INSPIRE (Scotland) Regulations 2009, the Information Rights Policy also incorporates information access and processing rights under the Data Protection Act 1998 and the Pupils' Educational Records (Scotland) Regulations 2003.
- 3.7 The inclusion of all information regimes in one policy provides a more coherent and comprehensive approach in helping individuals exercise their statutory rights. It also helps to evidence the Council's commitment to openness, accountability and transparency about its actions and how it operates.

[Information Security Policy \(Appendix 6\)](#)

- 3.8 The Council depends on the confidentiality, integrity and availability of its information to deliver services. It also has statutory responsibilities to make sure that the data and information it creates or receives is kept safe and used appropriately.
- 3.9 In setting out the Council's information security arrangements, this new policy confirms the Council's commitment to its citizens, visitors, employees and business partners that Council information and data will be properly protected, valued and secured.

[Managing Personal Data Policy \(Appendix 7\)](#)

- 3.10 A new Managing Personal Data Policy has been created to encompass recommendations made by the UK Information Commissioner's Office, following an audit of the Council's data protection arrangements during 2015-2016. It replaces the previous Data Protection Policy and formalises the Council's

approach to managing personal data in accordance with the requirements of the Data Protection Act 1998, and outlines the Council's commitment to the principles enshrined within the Act.

- 3.11 The policy acknowledges the need to balance the rights of individuals with the functions and operational requirements of the Council, and also anticipates the introduction of the General Data Protection Regulation in 2018. In particular, it recognises the more robust approach that will be required in relation to fair processing and consent.

[Records Management Policy \(Appendix 8\)](#)

- 3.12 This policy sets out the baseline requirements and actions for effective records management, ensuring that records properly support and underpin the effective operation and management of the Council. The policy has been significantly revised to reflect the Council's approved Records Management Plan: a key statutory requirement under the Public Records (Scotland) Act 2011.

[Re-use of Public Sector Information Policy \(Appendix 9\)](#)

- 3.13 The Re-use of Public Sector Information Regulations 2015 provides a legal framework to encourage the re-use of public sector information. This is a new policy which formalises and sets out the Council's approach and arrangements to complying with the Regulations, and reaffirms the Council's commitment to open data and the proactive publication whenever possible.

Implementation and compliance

- 3.14 These policies set out the organisational commitment to meet the Council's legislative and regulatory requirements around its information, as well as to continuously improve how its information is used and managed. However, to ensure effective compliance, related guidance and procedures, communications and training are all needed to turn these commitments into tailored messages and approaches for staff to adopt and incorporate into their daily work and behaviour.
- 3.15 Several procedures and a range of guidance have already been developed and made available on the Council's intranet to support staff in implementing and complying with these policies. These are outlined in each individual policy but many of them are in the process of being revised and expanded upon by the Council's Information Governance Unit to reflect changes in Council structure, policy and legislation.
- 3.16 There is also a new emphasis on encouraging the development or updating of local documentation across the Council to embed and localise compliance with these policies. This supports both the Council's need for greater flexibility in front line service delivery by allowing localisation, as well as meeting the increasing challenge from external regulators for documentary evidence of compliance. The aim is to first encourage the documenting of existing local information governance arrangements, and then for the Council's Information Governance Unit to review these as a consensual follow up process of advice and assurance.

- 3.17 While staff responsibilities are set out in these policies in broad and general terms, there is also an information governance communications plan that identifies specific messages for different areas and levels of staff, to be reached through a variety of channels and at different times. These messages remind staff in a concise, relevant and timely fashion about their particular roles in managing Council information. The communications plan is refreshed on an annual basis and is developed between the Information Governance Unit and the Communications Service.
- 3.18 Awareness raising, through events such as Global Information Governance Day (16 February 2017), will provide opportunities to highlight the Council's commitments to managing its information effectively beyond simply policy and procedure. However, at a more routine level, there is already a mandatory information governance e-learning module for all staff to complete that collates together basic elements of compliance and good practice from all of the policies. Further e-learning content and training materials to highlight certain themes and target specific staff groups are currently being developed and piloted by the Information Governance Unit and Human Resources. These will be aligned to the Council's evolving induction and learning framework.
- 3.19 All of this is in addition to the daily advice and support already provided by the Information Governance Unit to colleagues and members of the public in relation to the management and use of Council information.

Measures of success

- 4.1 Many elements of information governance have key performance indicators in place to ensure service delivery meets statutory and policy requirements (e.g. freedom of information and data protection). However, information governance contains elements which are less tangible to measure, such as cultures and behaviours.
- 4.2 To provide a more complete measure of success and improvement, an information governance maturity assessment is being developed to determine progress on an annual basis against the Council's Information Governance Framework and associated policies.

Financial impact

- 5.1 Failure to comply with the requirements of the Data Protection Act 1998 could result in enforcement action by the Information Commissioner's Office, including imposition of a civil monetary penalty that could result in a fine of up to £500,000 for each breach.
- 5.2 Failure to identify and apply appropriate retention rules to Council records could result in excessive and unnecessary physical and IT storage costs.

Risk, policy, compliance and governance impact

- 6.1 Impacts could be severe, including: distress or harm to individuals or organisation; reputational damage to the Council; detrimental impact on Council business and service delivery; and non-compliance with legislation and potential litigation.

Equalities impact

- 7.1 There are no adverse equalities issues arising from this report.

Sustainability impact

- 8.1 There are no sustainability issues arising from this report.

Consultation and engagement

- 9.1 The suite of policies has been developed in consultation with relevant service areas across the Council.

Background reading/external references

[Data Protection Act 1998](#)

[Freedom of Information \(Scotland\) Act 2002](#)

[Environmental Information \(Scotland\) Regulations 2004](#)

[INSPIRE \(Scotland\) Regulations 2009](#)

[Public Records \(Scotland\) Act 2011](#)

[Office of the Scottish Information Commissioner](#)

[Information Commissioner's Office](#)

[Archives Services Accreditation](#)

[National Records of Scotland](#)

[Guide to the Re-use of Public Sector Information Regulations 2015](#)

[Guide to the Pupils' Educational Records \(Scotland\) Regulations 2003](#)

City of Edinburgh Council's Records Management Plan

Andrew Kerr

Chief Executive

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Links

Coalition pledges

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Single Outcome Agreement

Appendices:

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Appendix 1

Information Legislation

Information management underpins all European, UK and Scottish legislation, regulation and guidance that affects, directs or empowers the City of Edinburgh Council. As a result, a definitive list of all such relevant legislation, regulations and standards would be too long to be useful here. Key documents, however, in relation to Scottish local government and the management of information management are detailed below:

Key Acts of the UK Parliament
1973 c.52 Prescription and Limitation (Scotland) Act 1973
1973 c.65 Local Government (Scotland) Act 1973
1985 c.43 Local Government (Access to Information) Act 1985
1990 c.18 Computer Misuse Act 1990
1994 c.39 Local Government etc. (Scotland) Act 1994
1998 c.29 Data Protection Act 1998
Key Acts of the Scottish Parliament
2002 asp. 13 Freedom of Information (Scotland) Act 2002
2003 asp. 01 Local Government in Scotland Act 2003
2011 asp. 12 Public Records (Scotland) Act 2011
2014 asp. 09 Public Bodies (Joint Working) (Scotland) Act 2014
Key Statutory Instruments of the UK Parliament
S.I. 2015 / 1415 The Re-use of Public Sector Information Regulations, 2015
Key Statutory Instruments of the Scottish Parliament
S.S.I. 2003 / 581 The Pupil's Educational Records (Scotland) Regulations
S.S.I. 2004 / 520 Environmental Information (Scotland) Regulations
Key Statutory Codes of Practice
Section 60 Code of Practice: Function under FOI(S)A

Section 61 Code of Practice: Records Management and FOI(S)A

Key International & British Standards

ISO 15489: 2001 Information and Documentation - Records Management

ISO 16175 Principles and functional requirements for records in electronic office environments

ISO 23081 Metadata for records

ISO 27000 series – Information Security Management System

ISO 30300 series – Management Systems for Records

Appendix 2 – Information Governance Policy

Implementation date:

Control schedule

Approved by	Corporate Policy and Strategy Committee
Approval date	
Senior Responsible Officer	Jo McStay, Strategy and Insight Senior Manager
Author	Kevin Wilbraham , Information Governance Manager
Scheduled for review	

Version control

Version	Date	Author	Comment
0.1	05-09-2014	Kevin Wilbraham	Circulated for comment; changes incorporated
0.2	17-09-2014	Kevin Wilbraham	Agreed by Information Council
1.0	30-09-2014	Kevin Wilbraham	Agreed by CP&S Revised to reflect organisational change and audit recommendations;
1.1	03-08-2016	Kevin Wilbraham	circulated for comment
1.2	01-09-2016	Kevin Wilbraham	Changes incorporated from Head of Strategy (Interim)
1.3	03-09-2016	Kevin Wilbraham	Revised draft agreed with Head of Strategy (Interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30-09-2014	Corporate Policy & Strategy	Information Governance Policies	Minute

Information Governance Policy

Policy statement

- 1.1 This policy sets out the Council's information governance (IG) framework to ensure that information is effectively managed and properly protected. It also clearly defines the roles and responsibilities of all stakeholders involved in handling and managing Council information.
- 1.2 The IG strategy provides the overall direction and vision for information governance within the Council, including the development of an IG policy and framework.

Scope

- 2.1 This policy applies to:
 - 2.1.1 All information held, maintained and used by the Council in all locations and in all media (hardcopy and electronic);
 - 2.1.2 Elected Members, Council staff, including temporary staff, contractors, consultants and volunteers that access and use Council information; and
 - 2.1.3 All third parties that manage and process information on the Council's behalf when carrying out a statutory Council function or service.

Definitions

- 3.1 The definitions below concern specific terms and descriptions used in this policy. A wider glossary of IG terms is available on the Council's intranet.
- 3.2 **Archives:** records which are retained permanently because of their continuing business, evidential or informational value to the Council or communities it serves.
- 3.3 **Data Stewards:** individuals with delegated authority to apply IG rules, including the up-dating of Council data and records to ensure data integrity and quality.
- 3.4 **Data quality:** data is the raw input from which information of value is derived. Data quality is a recognition that the accuracy, coverage, timeliness and completeness of data can significantly impact on the value of its use.
- 3.5 **Information asset:** a body of information defined and managed as a single unit or aggregate so it can be understood, shared, protected and exploited effectively.

- 3.6 **Information asset owners:** senior officers involved in managing a business area(s) with responsibility for the information assets within their respective business area(s).
- 3.7 **Information asset register:** a governance tool that lists the Council's key information assets.
- 3.8 **Information compliance:** ensures compliance with all statutory requirements governing the management of information, including rights of access under freedom of information and data protection legislation.
- 3.9 **Information security:** ensures that Council information is not compromised by unauthorised access, modification, disclosure or loss.
- 3.10 **Information sharing:** ensures that Council information is shared in a compliant, controlled and transparent manner.
- 3.11 **Organisational controls:** are measures that instruct and define responsibilities and expected behaviours and practices in terms of information security (e.g. policies, procedures, guidance)
- 3.12 **Open data:** data that is accessible (usually via the internet), in a machine readable form, free of restriction on use. It supports transparency and accountability, effective services and economic growth.
- 3.13 **Privacy impact assessment:** a risk management tool that reduces the risks of harm to individuals through the misuse of their personal information, and can help with the design of processes for handling personal data. It is used when projects, or changed service activities, or new ICT impact on the privacy of individuals.
- 3.14 **Records management:** processes and practices that ensure Council records are systematically controlled and maintained, covering the creation, storage, management, access, and disposal of records, in compliance with best practice, legal obligations and policy requirements. International Standard ISO15489 covers the fundamentals of good records management.
- 3.15 **Technical controls:** are measures that limit and define access and action via network and system configuration in terms of information security (e.g. account management, back up cycles, encryption and firewalls)
- 3.16 **Vital records:** records classified as being essential to the continuation of Council business.

Policy content

- 4.1 Information is a key asset for the Council. It is central to the Council's business processes, decision making, service delivery, and provides evidence and accountability concerning Council actions and performance.
- 4.2 It is crucial that information is managed effectively to maximise its value for the Council and its stakeholders, and to stop it becoming a liability and a risk.

- 4.3 The effective management of information places significant demands on the Council. In particular, there is a wide-ranging and complex legal landscape within which the Council has to operate. Appendix 1 details the many acts, regulations, codes of practice and technical standards concerning IG.
- 4.4 Good information governance improves, monitors and provides assurance that the Council is creating, managing, using, sharing and disposing of information efficiently, appropriately and lawfully.

Information governance framework

- 4.5 The Council has developed an Information Governance Framework that brings together all the legislative and regulatory requirements, standards and best practice in relation to the following areas:
 - 4.5.1 Data quality
 - 4.5.2 Information compliance
 - 4.5.3 Information rights
 - 4.5.4 Information security
 - 4.5.5 Records and archives management
 - 4.5.6 Re-use and open data

Policies

- 4.6 Each IG framework area will have a top level policy detailing responsibilities and requirements to ensure compliance with legislative, regulatory and best practice standards. All policies will be available on the Council's Policy Register and reviewed on annual basis by the Information Council and agreed by Council Leadership Team and Committee.

Procedures

- 4.7 There will be documented corporate procedures to support agreed policies which will be developed by the relevant IG area. These will support policy implementation and outline any operational requirements to ensure compliance with legislation and standards. Where appropriate, local procedures will be developed or quality assured by the Information Governance Unit and the relevant business area(s).

Guidance and training

- 4.8 Training, education and awareness are essential to ensure compliance with policies and procedures, as well as promoting a culture of corporate responsibility that values information as an asset.
- 4.9 Training will be delivered at an appropriate level to all staff using e-learning and other delivery mechanisms by the relevant information governance area.

Specific training requirements identified through the information risk management approach will be included in the Information Council's annual work plan. Training for each IG area will be developed and delivered by the relevant Council team.

Communications

- 4.10 Regular communications will be agreed by the Information Council and through the Communications Service to ensure that key information governance messages are effective, relevant, and targeted at the right audience.

Compliance, monitoring and reporting

- 4.11 The Information Governance Unit will facilitate regular and effective monitoring to support the implementation and assessment of IG practices and behaviours across the Council.
 - 4.11.1 An annual IG self-assessment programme will be undertaken by Council managers and overseen by the Information Governance Unit. The results of this assessment will be presented to the Information Council and inform the themes and priorities of the following year's IG annual action plan.
 - 4.11.2 Specific issues and progress will be presented to the Information Council as a matter of routine, and highlighted to the Council Leadership Team and Elected Members.

Information asset register

- 4.12 The Information Governance Unit will maintain an information asset register for the Council to evaluate and assure compliance with information governance policies and processes, recording and highlighting risk as appropriate. The register will also support wider governance and information activities, including resilience, business intelligence, protective marking and open data initiatives.

Information risk management

- 4.13 The Information Governance Unit will support managers in identifying, reporting and managing information risks within the Council's wider Risk Management Framework.
- 4.14 The Council's risk management committees will also receive support and input from the Information Governance Unit in considering information risks.
- 4.15 The Information Council will receive and act upon reports of collated information risks brought together by the Information Governance Unit on a routine basis.

Information incident reporting

- 4.16 An incident reporting process will be maintained by the Information Governance Unit to ensure that all information breaches are reported, investigated, resolved

or escalated. Where appropriate, incidents will be captured and managed in the appropriate risk registers.

Privacy impact assessments

- 4.17 Privacy impact assessments must be carried out by managers when projects, or changed service activities, or new ICT impact on the privacy of individuals.

Information governance maturity model

- 4.18 An information governance maturity model will be used by the Information Council to determine progress against this policy and related policies and external standards. Overall success will be determined by improvement in information governance maturity over a five year period.

Annual report

- 4.19 The Senior Information Risk Owner will present an information governance annual report to Committee at the end of each financial year. The report will outline key issues and risks, and will serve as a base line to evaluate future performance and development.

Annual action plan

- 4.20 The Information Council will approve and monitor an annual action plan for information governance development and compliance. The plan will outline key tasks, outcomes accountabilities and progress.

Implementation

- 5.1 This policy will be implemented through the Information Council's annual action plan, as described above. The plan will outline key tasks, outcomes, accountabilities and progress.
- 5.2 Key measurements of success will be:
- 5.2.1 Roll out and maintenance of an annual maturity assessment programme
 - 5.2.2 Continued development and maintenance of the Council's Information Asset Register
 - 5.2.3 Continued roll out of training, guidance and internal communications to raise and underpin awareness IG requirements and best practice
 - 5.2.4 Routine reporting of information breaches and risks with follow up and mitigating actions
 - 5.2.5 Maintenance and development of IG controls, as outlined in related policies

Roles and responsibilities

Council Leadership Team

- 6.1 The Chief Executive and Directors have specific responsibilities in the related IG policies but more widely, the Council Leadership Team has overall collective responsibility for IG. This involves providing high-level support to ensure that each directorate applies relevant information governance policies and controls, and the provision of evidenced statements of information assurance as part of the Council's annual governance statement.
- 6.2 To facilitate the development and implementation of information governance practices, directors will be asked to nominate/ confirm individuals to sit on corporate groups and to carry out specific responsibilities.

Senior Information Risk Owner

- 6.3 The Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO). The SIRO has delegated authority through the Council Leadership Team with specific responsibility for information risk and mitigation. Specific responsibilities include:
 - 6.3.1 Fostering a corporate culture that values, protects and uses information for the success of the organisation and benefit of its citizens.
 - 6.3.2 Chairing the Information Council to lead and coordinate information governance improvements throughout the organisation.
 - 6.3.3 Ensuring Elected Members and the Council Leadership Team are adequately briefed on information governance issues and associated risks.
 - 6.3.4 Owning the organisation's overall information risk assessment processes and ensuring they are implemented consistently.
 - 6.3.5 Owning the organisation's information incident management framework
 - 6.3.6 Providing the final point of resolution for any information risk issues.

Information Governance Manager (Deputy Senior Information Risk Owner)

- 6.4 Accountability for the on-going strategic development of information governance lies with the Information Governance Manager within the Strategy and Insight service area of the Chief Executive's Office. The Information Governance Manager deputises for the SIRO as required and ensures that the Information Governance Framework is compliant with the Council's overall approach to corporate governance.

Information Council

- 6.5 The Information Council (IC) has delegated responsibility, through the SIRO and the Council Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide

the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure information governance compliance.

- 6.6 The IC is made up of service area representatives that are suitably senior and/or with necessary expertise. The work undertaken will be line with IC's terms of reference. The IC reports to Council Leadership Team and Committee through the Council's SIRO.

Information Governance Unit

- 6.7 The IGU is responsible for the day to day operation and delivery of information governance within the Council. This includes, but is not limited to:
- 6.7.1 Implementing and supporting the IC's annual action plan.
 - 6.7.2 Developing, assessing and reporting on IG maturity within service areas against the Council's IG maturity model.
 - 6.7.3 Collating and presenting analysis of key performance data around information governance to senior managers.
 - 6.7.4 Annually reviewing and updating the Council's suite of information governance policies.
 - 6.7.5 Developing and providing practical IG guidance and training for service areas.
 - 6.7.6 Providing a focal point for all IG enquiries.
 - 6.7.7 Liaising with external regulators and leading on or supporting resolution of compliance issues, as appropriate.
 - 6.7.8 Collating and responding to requests for information under access legislation.
 - 6.7.9 Developing and maintaining the Council's IG tools and standards, including its Information Asset Register, Business Classification Scheme and Record Retention Schedule.
 - 6.7.10 Developing and maintaining a register of the Council's information sharing protocols and agreements.
 - 6.7.11 Assessing, reporting on and improving organisational controls for information security in line with ISO/IEC 27001:2013 – Information Security Management and other compliance frameworks.
 - 6.7.12 Receiving and managing relevant breach and incident reporting and ensuring remedial actions have been undertaken.
 - 6.7.13 Preserving and providing access to the Council's archives.

ICT Solutions

- 6.8 ICT Solutions is the operational lead on technical IT risks and is responsible for implementing appropriate technical controls for information security, in line with

ISO/IEC 27001:2013 – Information Security Management and other compliance frameworks (e.g. the Public Services Network).

- 6.9 The service works closely with the IGU to ensure that information governance policies, standards, rules and assurance are properly considered as part of the ICT procurement process.

Managers

- 6.9 All managers and supervisors have a responsibility for enabling effective information governance within their respective service areas and teams. This includes but is not limited to:
- 6.9.1 Ensuring that information governance policies, standards and guidance are followed.
 - 6.9.2 Integrating information governance into local processes to ensure that there is on-going compliance on a day to day basis.
 - 6.9.3 Reporting any suspected breaches of confidentiality or information loss.
 - 6.9.4 Identifying existing or emerging information risks relating to their service area and reporting as appropriate.
 - 6.9.5 Carrying out privacy impact assessments where projects, or changed service activities, or new ICT impact on the privacy of individuals.
 - 6.9.6 Undertaking the role of Information Asset Owners as the use of the Information Asset Register is developed and extended to identify and manage the Council's information assets.

Staff

- 6.10 Managing information effectively and appropriately is the responsibility of all staff. Individuals must ensure that they are familiar with relevant information governance policies, processes and guidance, and compliant with legislative and regulatory requirements.
- 6.11 As part of their role and remit, individuals may also be nominated as Data Stewards (by Information Asset Owners) with operational responsibility for information assets within their respective service areas. This will involve the application of information governance rules, and the up-dating of Council data and records to ensure data integrity and quality.

Related documents

Council Policy

- 7.1 Archives Policy
- 7.2 Data Quality Policy

- 7.3 ICT Acceptable Use Policy
- 7.4 Information Rights Policy
- 7.5 Information Security Policy
- 7.6 Managing Personal Data Policy
- 7.7 Records Management Policy
- 7.8 Re-use of Public Sector Information Policy

Codes, Guidance, Procedures and Strategy

- 7.9 Employee Code of Conduct
- 7.10 Role guidance for Information Asset Owners and Data Stewards
- 7.11 Information Risk Management guidance
- 7.12 Open Data Strategy

Equalities impact

- 8.1 There are no equalities issues arising from this policy.

Sustainability impact

- 9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 The risks of not implementing this policy include:
 - 10.1.1 Distress or harm to individuals or organisations.
 - 10.1.2 Reputational damage to the Council.
 - 10.1.3 Financial loss or monetary penalty imposed.
 - 10.1.4 Detrimental impact on Council business and service delivery.
 - 10.1.5 Non-compliance with legislation and potential litigation.

Review

- 11.1 This policy will be reviewed annually or more frequently if required by significant changes in legislation, regulation or business practice. It will be reviewed by the Information Council and presented to Council committee annually, in line with the Council's Policy Framework.

Appendix 3 – Archives Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer Kevin Wilbraham, Information Governance Manager

Author Henry Sullivan, Information Asset Manager

Scheduled for review

Version control

Version	Date	Author	Comment
0.1	15-07-2016	Henry Sullivan	Original Draft – combining existing draft policies for Collections Development and Collections Information
0.2	15-08-2016	Henry Sullivan	Substantial re-write
0.3	15-08-2016	Kevin Wilbraham	Minor revisions and additions made
0.4	03-09-2016	Kevin Wilbraham	Revised draft agreed with Head of Strategy (Interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30-09-2014	Corporate Policy & Strategy	Information Governance Policies	Minute

Archives Policy

Policy statement

- 1.1 The City of Edinburgh's archives form a core part of the documented heritage of the city that stretches back to the 12th century to the present day. The archives illuminate our past, chronicle our present and inform our future.
- 1.2 When properly managed and made accessible, the Council archives will enhance civic and community identity, support long term accountability, and document and protect the rights of citizens.
- 1.3 To be effective, the Council archives need to evolve over time to capture and represent the changing nature of the organisation and city, as well as the changing ways we create records in the ongoing digital revolution.
- 1.4 This policy sets out the Council's responsibilities and activities in regard to its archives. It governs the collection, management, preservation and access of all archives, both physical and digital, created or acquired by the Council
- 1.5 This policy will:
 - 1.5.1 define managerial and professional responsibilities for the Council archives;
 - 1.5.2 support the Council in complying with its statutory, regulatory and policy obligations around archives,
 - 1.5.3 acknowledge the value and benefits of an archive service for the Council as a custodian of the city's culture and history, for our citizens as its inheritors and continuators and for our visitors who come to experience and contribute to it.

Scope

- 2.1 This policy covers:
 - 2.1.1 All records which are created or received and then managed by the Council in the course of its business.
 - 2.1.2 All records which were created or kept by the Council's predecessor bodies.
 - 2.1.3 Any archives purchased by any service area in the Council
 - 2.1.4 Any archives donated or deposited with any service area in the Council by third parties
- 2.2 This policy applies to:
 - 2.2.1 All permanent and temporary Council employees, volunteers, people on work placements and elected members when acting as officers of the Council

- 2.2.2 All third parties and contractors performing a statutory Council function or service

Definitions

- 3.1 **Appraisal:** is the assessment of records for their enduring business, evidential or historical value to the Council or communities it serves.
- 3.1.1 Records that are assessed to have value are retained as **Archives**.
- 3.1.2 Records that do not have sufficient value are either disposed of or returned to their depositor.
- 3.2 **Conservation:** is the active repair or restoration of damaged archives.
- 3.3 **Council Records:** are defined as;
- 3.3.1 recorded information in any format (including paper, microform, electronic and audio-visual formats); and
- 3.3.2 which are created, collected, processed, and/or used by City of Edinburgh Council employees, Elected Members when undertaking Council business, predecessor bodies (e.g. Lothian Region Council, Edinburgh District Council, Edinburgh Corporation) or contractors performing a statutory Council function or service.
- 3.3.3 and which are then kept as evidence of that business.
- 3.4 **Depositor:** the person or organisation that transfers custody of records to an archive institution. These **deposits** fall under one of five types:
- 3.4.1 **Charge and Superintendence:** records that have been transferred to the Council from the National Records of Scotland as part of a national scheme to support local archive services. These records are still owned by their depositors but the National Records of Scotland maintains a supervisory role on how they are accessed and managed locally.
- 3.4.2 **Gift:** a permanent transfer of ownership of records. Legal ownership, responsibility and rights, both physical and intellectual, are entirely consigned to the Council.
- 3.4.3 **Loan:** the Council is the custodian for the records but is not the legal owner. This is usually the Depositor but may be another nominated individual or official of a business or institution. Some loans are **indefinite** where the records are managed by the Council until the depositor wishes to withdraw them. Other loans are **temporary**, where the Council has the records for a fixed period of time, often for exhibition purposes.
- 3.4.4 **Purchase:** the Council has acquired the records through sale directly or indirectly from the legal owners. Some intellectual rights may not be acquired as a result of the purchase.

- 3.4.5 **Transfer:** records that have been created by the Council and which have been moved to the Council archives after being appraised as having enduring business, evidential or historical value.
- 3.5 **Format** is the medium from which records are created; most electronic formats are capable of being edited and changed continually (e.g. MS Word), 'fixed formats' do not allow this (e.g. PDF).
- 3.6 **Preservation:** is a set of processes that prolong the life of archives through identifying risks to their continued access and use and then mitigating them through management action.
- 3.7 **Public Records (Scotland) Act 2011:** requires public authorities to detail their records management policies, procedures and responsibilities in a Records Management Plan, which is subject to review by the Keeper of the Records of Scotland.
- 3.8 **Records management:** are the processes and practices that ensure Council records are systematically controlled and maintained, covering the creation, storage, management, access, and disposal of records, in compliance with best practice, statutory requirements and policy obligations.
- 3.9 **Records management manual** – a document that details how records are created, maintained and disposed of within a business unit, service area, project or working group.
- 3.10 **Recordkeeping systems:** are physical filing systems or IT business systems that hold and manage Council records.
- 3.11 **Retention Rules:** identify when closed records or files can be disposed of and what should happen to them at that point. They can be broken down into four parts;
- 3.11.1 **Activity / Record Description** – provides the context on what is covered by the retention rule.
- 3.11.2 **Trigger** – indicates the moment that the retention period starts applying; usually around the event or date that “closes” a record.
- 3.11.3 **Retention Period** – how long you hold onto a record beyond the trigger point.
- 3.11.4 **Disposal Action** – the action required once a record has reached the end of its retention period.

Policy content

- 4.1 The Council has the duty and powers to manage, preserve and provide access to any records of local or general historic interest that have been created or received by it, or otherwise placed in its custody by way of gift, purchase, loan or transfer.

- 4.2 The Council's Records Management Plan, under the Public Records Scotland Act of 2011, recognises that the Council's Archives Service (Edinburgh City Archives) is the main place of deposit for these records, though other Council services have and maintain historic records of their own to support their own collections and services. Collectively these are all regarded as the Council's archives.
- 4.3 The Council's Information Asset Manager is responsible for the Council's archives under Element 7 of the Council's Records Management Plan.
- 4.4 Edinburgh City Archives is also the custodian of all archives deposited under Charge and Superintendence by the Keeper of the Records of Scotland.
- 4.5 A five year Archive Development Plan for the Council will be developed by the Information Asset Manager, in consultation with relevant stakeholders, and presented to and approved by the Information Council.
 - 4.5.1 Its purpose will be to assess, consult on, and set out how the Council's archives can be developed to better meet the needs of existing and potential stakeholders and communities.
 - 4.5.2 It will cover the Council archives' acquisition and appraisal priorities, as well as access, engagement and management arrangements across the organisation.

Acquisitions

- 4.6 The Council will seek to add its archives by:
 - 4.6.1 Responding to offers of material from institutions, businesses and individuals, including additional deposits from existing depositors.
 - 4.6.2 Identifying and pursuing material that fills gaps in its archives or falls within the Council's Archives Development Plan.
- 4.7 This will be done in liaison with other Council service areas (as appropriate) and external bodies, including the National Records of Scotland, the other Lothian local authorities, and other relevant national and local repositories.
- 4.8 The Council will not seek to represent any particular historical, sectarian or other viewpoint in its acquisition of archives, but shall reflect, as accurately as possible, all aspects of Edinburgh's past and present.
- 4.9 In acquiring archives, the Council will adhere to the following priorities:
 - 4.9.1 Records of the City of Edinburgh Council and its predecessors which relate to their core functions and statutory duties.
 - 4.9.2 Records of Arms Length External Organisations created or contracted by the Council
 - 4.9.3 Archives of the Burghs of Leith, Portobello, South Queensferry and all related Parish Councils, Parochial Boards, District Councils, School Boards etc.

- 4.9.4 Archives of Edinburgh institutions and businesses and those of religious, sporting, political or cultural organisations and families or individuals which merit preservation.
- 4.9.5 Archives of regional bodies which have or did have their headquarters in Edinburgh except where provision has already been made or agreed with another repository.
- 4.10 Archives that fall within the above criteria but are in danger of neglect or destruction should be particularly sought after and secured.
- 4.11 The Council will always seek the return into Council custody of any archives of the City of Edinburgh Council and its predecessor and associated bodies currently held in other institutions and agencies where appropriate.
- 4.12 Where an acquisition seems likely to result in significant financial implications in respect of storage, conservation or access then the matter should be referred to Council committee.
- 4.13 The Council will not acquire archive material relating to places outside the Council's geographical area, unless they are part of a wider archive collection that has relevance to Edinburgh.
- 4.14 Where the Council is offered archives that do not match its acquisition criteria, the potential depositor must be advised so by the liaising Council officer and provided with details of appropriate alternative institutions to consider.
- 4.15 The Council will, in exceptional circumstances, act to rescue and secure archives for other archival institutions before arranging for their transfer to the most appropriate custodian.

Deposits by gift, loan, purchase or transfer

- 4.16 Current Council records of archival merit will be transferred over time to the secure custody of Edinburgh City Archives in accordance with the Council's Record Retention Schedule and Archive Transfer Procedure.
- 4.17 Archives from third parties must always be first sought as gifts in order to provide the citizens of Edinburgh with maximum and enduring value.
- 4.18 Indefinite loans of archives can be accepted where the depositor wishes to maintain ownership while allowing public access and use.
- 4.19 Acquisitions by purchases will only be considered by the Council if the material is of outstanding importance to Edinburgh's archival heritage.
- 4.20 The Council will not accept any archives which have been collected or acquired in any country in violation of that country's laws.
- 4.21 Archives gained by gift or purchase should have clear title of ownership and these should be transferred to the Council upon acquisition.
- 4.22 All deposits by loan to the Council will have formal documentation setting out the arrangements and will be signed by all relevant parties.

- 4.23 Any identified conservation issues of potential loans will remain the liability of the depositor, subject to agreement concerning such matters as payment, withdrawal from access, application for funding etc.
- 4.24 All archive deposits in the Council's custody will eventually be made available for public consultation, either immediately or at the expiry of specified closure periods agreed with the depositor.
- 4.25 The Council will not accept any archive deposit with an indefinite or unclear closure period requirement set by a depositor.

Appraisal

- 4.26 All archive acquisitions will be appraised against the Archives Development Plan in accordance with the Council's Archive Appraisal Procedure before they are formally accepted by the Council. In some cases archives may be returned to the donor or depositor after appraisal, in full or in part.
- 4.27 All archive deposits must be appraised for compliance with the current legislative regime; e.g. Statute of Limitations, the Data Protection and Freedom of Information Acts, Scottish Public Records Acts.

Accession

- 4.28 All deposits will be documented within a Council Archives Accessions Register. This will be maintained by the Information Asset Manager.
- 4.29 Additional acquisition paperwork should be permanently retained by the collecting Council service as appropriate.
- 4.30 All major accessions to the Council archives will be reported to the National Register of Archives for Scotland and listed in an annual report to the Information Council.

Loans, de-accessions and disposal

- 4.31 Any Council service that loans out archives in the Council's custody to a third party for exhibition, conservation, or other appropriate purposes, must follow the Council's Archives Loans Procedure.
- 4.32 The Council will not transfer (except in case of disaster/emergency), loan, sell or otherwise dispose of any archives under deposit by loan without the owner's written consent.
- 4.33 Any possible sale, destruction or transfer to a third party of the Council's archives will require authorisation from the Information Asset Manager.
- 4.34 Whilst depositors may withdraw their deposited or loaned archives from Council custody, the Council reserves the right to:

- 4.34.1 Claim reimbursement for the time and materials spent in cataloguing and preserving the archive
- 4.34.2 Retain any catalogues and other finding aids of the archive, as well as any copies made from the archive
- 4.35 All depositors removing their deposited or loaned archives from Council custody shall receive and sign de-accession documentation.

Preservation and conservation

- 4.36 All Council archives will be stored in secure and environmentally stable conditions and kept in appropriate low acid packaging, as far as resources will allow.
- 4.37 All Council archives will be managed as part of a preservation programme to ensure their continued access and use.
- 4.38 The Information Asset Manager will, in consultation with relevant stakeholders, issue and maintain guidance on the appropriate storage, care and preservation of the Council's archival records.
- 4.39 This guidance will meet professional archive standards and will cover the continual monitoring of environmental conditions, pest management and control, security and general housekeeping within storage areas.
- 4.40 Council archives that require external conservation treatment will be repaired in accordance with the Council's archive conservation guidance, issued and maintained by the Information Asset Manager.
- 4.41 A disaster plan for the Council archives will be maintained by the Information Asset Manager.

Access

- 4.42 The Council will provide as wide an access to its archives as possible, for both citizen and visitor alike, and for a diverse range of interests and research needs.
- 4.43 The Council will do this by:
 - 4.43.1 Committing to making all archive material publically accessible as soon as practically possible after their accession.
 - 4.43.2 Providing free physical access to the Council's archives to those who can visit the Council's designated access points
 - 4.43.3 Responding to remote enquiries about the Council's archives.
 - 4.43.4 Publishing catalogues and other finding aids online.
 - 4.43.5 Creating and putting on physical and online exhibitions of material from the Council archives.
 - 4.43.6 Providing a charged research service that takes into account the complexity of research required, and the needs of the enquirer

- 4.43.7 Digitising archival materials (within budgetary constraints) to provide on-line access to archival collections
- 4.44 While the Council archives fall under the exemption on research, history and statistics within section 33 of the Data Protection 1998, the Council reserves the right to refuse access to specific archive material due to conservation or privacy concerns. These restrictions will be highlighted in published catalogues and finding aids where ever possible.

Documentation

- 4.45 All archives acquired by the Council will be catalogued according to the Council's Archive Cataloguing Guidelines.
- 4.46 These guidelines will be routinely reviewed by the Information Asset Manager, in consultation with other stakeholder services in the Council, and updated in accordance with current professional archives best practice and standards.

Digital Preservation

- 4.47 The Council commits to developing and maintaining a digital repository to capture, manage and provide long term access to the Council's digital archives.
- 4.48 Digital Council records that are required for long term (ten years or more) or permanent retention should be kept in robust file formats identified and recommended by the Information Asset Manager.
- 4.49 Each Council record keeping system that contains information required for long term or permanent retention should have a digital continuity plan

Implementation

- 5.1 This policy will be implemented through the Information Council's annual plan under the records management stream and coordinated by the Information Asset Manager.
- 5.2 The Information Asset Manager will undertake assessments of the Council archives throughout the organisation for compliance against this policy and related procedures and guidance.
- 5.3 Key measurements of success will be:
- 5.3.1 Number of archive collections accessioned and catalogued
 - 5.3.2 Percentage of uncatalogued archive collections
 - 5.3.3 Number of users of the Council archives
 - 5.3.4 Number of item productions from the Council archives
 - 5.3.5 Number of exhibitions and other outreach activities undertaken to promote the Council archives

- 5.3.6 User feedback through annual customer surveys
- 5.3.7 Development of a digital archive repository for the Council – including relevant processes, skill sets, guidance and technical infrastructure
- 5.4 An annual report to the Information Council by the Information Asset Manager will detail progress and developments in complying with this policy and wider professional archival best practice. It will cover:
 - 5.4.1 Annual performance statistics for the above key measurements of success
 - 5.4.2 Collated assessment of the access, management and preservation arrangements for the Council’s archives across the organisation
 - 5.4.3 Disaster plan testing and review
- 5.5 Achieving and maintaining the UK National Archives’ Archive Services Accreditation standard will be the benchmark for the Council in complying with this policy. This accreditation will be managed by the Information Asset Manager and overseen by the Information Council.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to acquiring, managing, preserving and providing access to the Council’s archives.
- 6.2 The **Chief Executive** has overall executive responsibility for the Council’s archives as the senior manager responsible for the Council’s Records Management Plan under the Public Records (Scotland) Act, 2011.
- 6.3 **Directors** have a general responsibility to ensure that records of enduring business, evidential or historical value within their Directorate are identified and eventually transferred to the Archives Service. They must do this by ensuring that;
 - 6.3.1 there is an up to date, authorised, comprehensive and relevant retention schedule for their directorate
 - 6.3.2 there are routine transfer arrangements to the Council archives for all activities that have permanent retention rules
 - 6.3.3 digital records that require long term or permanent retention are kept in robust file formats
 - 6.3.4 record keeping systems that require long term or permanent retention of information are identified and digital continuity plans are created and maintained
- 6.4 The **Head of Strategy & Insight** as the **Senior Information Risk Owner** (SIRO) has the delegated responsibility for information risk management in the

Council, including risks to the permanent preservation and ongoing access to the Council's archives.

6.5 **All Managers** must;

- 6.5.1 ensure that this policy and any associated procedures and guidance are understood by all relevant staff within their business units
- 6.5.2 undertake routine transfers to the City archives of any Council records in their custody that have a permanent retention rule
- 6.5.3 manage the file formats of the Council records in their custody that require long term or permanent retention
- 6.5.4 consult the Information Governance Unit and their Directorate Records Officer when they believe records due for destruction may have enduring business, evidential or historical value to the Council or communities it serves
- 6.5.5 not destroy Council records that are being actively considered for appraisal and transfer into the Council archives until given notification by the Information Asset Manager

6.6 **Employees** must;

- 6.6.1 read, understand and follow this policy and any associated archive procedures and guidance that are relevant to their work
- 6.6.2 read, understand and follow any records management manuals that are relevant to their work
- 6.6.3 Identify and report any risks to the long term preservation and use of Council records to their line manager
- 6.6.4 Report to their manager any Council records due for destruction that might have enduring business, evidential or historical value

6.7 **Elected Members** have the same responsibility to manage records created in their role as representatives of the Council in accordance with relevant policies and procedures. However, as members of the governing body of the Council, they have a greater duty to ensure that the Council archives remain relevant in terms of content and management – especially in meeting the civic need for accountability and documenting the rights and responsibilities of both the Council and its citizens.

6.8 **Third parties (e.g. contractors, voluntary and not for profit organisations) performing a public function for the City of Edinburgh Council** must also adhere to the requirements set out in this policy where they create records that require permanent retention.

- 6.8.1 They must transfer these records to Council custody either through an agreed schedule or at the termination of contract.
- 6.8.2 They must also comply with requests by the Council to transfer other material created under their contract that have been deemed of enduring business, evidential or historical value to the Council and the communities it serves.

- 6.9 **Directorate Records Officers** will;
- 6.9.1 have delegated authority to transfer Council records within their directorate to the Council archives.
- 6.9.2 act as a liaison with the Information Governance Unit on archive and digital preservation related projects and issues.
- 6.10 The **Council Information Asset Manager** is part of the **Information Governance Unit** within the Strategy & Insight division of the Chief Executive's Office. The position has responsibility for the day to day operation of **Edinburgh City Archives** and for the delivery of the Council's Records Management Plan. In relation to archives this officer will:
- 6.10.1 provide professional advice, guidance, support and training on the management of the Council archives across the organisation
- 6.10.2 Develop, maintain and report on the Council's Archive Development Plan;
- 6.10.3 develop and maintain the Council's Archives Accession Register;
- 6.10.4 maintain and review the Council's Retention Schedules;
- 6.10.5 promote and provide assurance by review of preservation programmes for the Council archives by custodial Council service areas;
- 6.10.6 Review and authorise sales, destructions or transfers of any part the Council archives
- 6.10.7 Develop, test, review and report on a disaster plan for the Council archives
- 6.10.8 Lead on and promote digital preservation of Council records and archives, specifically in developing a digital archives repository.
- 6.11 **ICT Solutions** has a role to support the digital preservation of Council records and record keeping systems required for long term or permanent retention, as well as helping to ensure that digital preservation requirements are properly considered as part of the ICT procurement process.

Related documents

Council Policy

- 7.1 Data Quality Policy
- 7.2 [Edinburgh Museums and Galleries: Collections Development Policy 2013-2017](#)
- 7.3 Information Governance Policy
- 7.4 Information Rights Policy
- 7.5 Information Security Policy
- 7.6 Managing Personal Data Policy
- 7.7 Records Management Policy
- 7.8 Re-use of Public Sector Information Policy

Codes, Guidance, Procedures and Strategy

- 7.9 Council Archives Transfer Procedure
- 7.10 Open Data Strategy

Legislation & Statutory Codes of Practice

- 7.11 [Local Government \(Scotland\) Act, 1994](#)
- 7.12 [Public Records Scotland Act, 2011](#)

Standards

- 7.13 [Archives Service Accreditation Standard of the UK National Archives](#)
- 7.14 [International Standards for Archival Description and Archive Authority Files](#)
- 7.15 PD5454: 2012 - *Guide for the storage and exhibition of archival materials*
- 7.16 ISO 14721:2012 - *Open archival information system (OAIS)*

Equalities impact

- 8.1 There are no equalities issues arising from this policy.

Sustainability impact

- 9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 Risk of reputational damage and audit complications as a result of non-compliance with the Public Records (Scotland) Act, 2011 and the Council's own Records Management Plan.
- 10.2 Risk of civil and criminal penalties, as well as reputational damage, as a result poor decision making through a failure to raise and maintain the awareness amongst staff of the evidential value of the Council archives to its current and future business.
- 10.3 Risk of civil and criminal penalties as well as reputational damage and business continuity issues through an inability to evidence past Council decisions due to inadequate and poorly managed long term access and preservation of Council records.
- 10.4 Risk of excessive physical and IT storage costs through a failure to identify and make separate provision for Council records that must be retained permanently.

10.5 Risk to citizens and clients that the Council will be unable to evidence any decision making and service provision that have affected them in the long term due to inadequate and poorly managed Council records.

Review

11.1 In line with the Council's Policy Framework, this policy will be reviewed annually or when required by significant changes to the Council's Records Management Plan or with legislation, regulation or business practice.

Appendix 4 – Data Quality Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer Edel McManus, Data Services Manager

Author Edel McManus, Data Services Manager

Kevin Wilbraham, Information Governance Manager

Scheduled for review

Version control

Version	Date	Author	Comment
0.1	05-09-2014	Kevin Wilbraham	Circulated for comment Agreed by Information Council
0.2	17-09-2014	Kevin Wilbraham	
1.0	30-09-2014	Kevin Wilbraham	Approved by CP&S
1.1	28-08-2016	Edel McManus	Major revision to reflect organisational change and strategic priorities
1.2	03-09-2016	Edel McManus	Agreed with Head of Strategy (Interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30/09/2014	Corporate Policy & Strategy	Information Governance Policies	Minute

Data Quality Policy

Policy statement

- 1.1 The City of Edinburgh Council (the Council) needs reliable, relevant, accurate and timely data to help deliver services and to account for its performance. Data quality is a key element of the Council's Information Governance Strategy and this policy sets out the Council's commitment and approach to improving its creation, management and use.

Scope

- 2.1 This policy relates to:
 - 2.1.1 All Council data and information collection activities.
 - 2.1.2 Council staff, including temporary staff, contactors and consultants that create, use and manage data.
 - 2.1.3 All third parties that create, process and use data on the Council's behalf when carrying out a statutory function or service.

Definitions

- 3.1 The definitions below cover specific terms and descriptions used in this policy.
- 3.2 **Data:** the raw input from which information of value is derived.
- 3.3 **Data quality:** recognition that the accuracy, coverage, timeliness and completeness of data can significantly impact on the value of its use.
- 3.4 **Data stewards** are nominated by Information Asset Owners with operational responsibility for information assets within their respective service areas. This will involve the application of information governance rules, and the up-dating of Council data and records to help ensure data integrity and quality.
- 3.5 **Information asset:** a body of information defined and managed as a single unit so it can be understood, shared, protected and exploited effectively.
- 3.6 **Information asset owners:** senior officers involved in managing a business area(s) with responsibility for the information assets within their respective business area(s).
- 3.7 **Open data:** data that is accessible (usually via the internet), in a machine readable form, free of restriction on use. It supports transparency and accountability, effective services and economic growth.

- 3.8 **Data Warehouse:** a storage architecture designed to hold data extracted from transaction systems, operational data stores and external sources. The warehouse then combines that data in an aggregate, summary form suitable for enterprise-wide data analysis and reporting for predefined business needs. The Data warehouse toolsets will enable data profiling, modelling, analytics and monitoring to support data quality management.

Policy content

- 4.1 Data quality is concerned with producing information that is 'fit for purpose' and available when required. It supports service provision and the Council's business operations by ensuring that any data collected, used, recorded and shared is accurate, complete and reliable.
- 4.2 It also ensures that Council decisions are based on reliable management and performance information, and provides confidence when benchmarking or producing reports and statistical analysis for internal and external audiences.
- 4.3 The production and availability of high quality data also supports the Council's objectives to be open and transparent, and aligns closely with the Council's open data strategy.
- 4.4 Quality data also helps the Council comply with its obligations under the Data Protection Act 1998.

Data Quality Principles

- 4.5 To assure the quality of data, the Council will adopt the following principles which will be supported procedures, guidance and training:

Data collection

- 4.5.1 **Accuracy:** Data must be accurate with clear procedural guidance for collecting, using and amending data.
- 4.5.2 **Timeliness:** Data should be collected as quickly as possible after the event or activity, and must be available quickly enough to support information/business needs and management decisions
- 4.5.3 **Relevance:** Data must be relevant to the purposes for which it is used, and must be reviewed on a regular basis to reflect changing needs, including changed service or legislative requirements.

Data management

- 4.5.4 **Reliability:** Data collection processes must be clearly defined and followed to ensure on-going stability and consistency over time. In particular, trend data must reflect real change rather than variations in data collections methods or approaches.

- 4.5.4 **Verification:** Data must be verified on a regular basis to ensure that there are no gaps, and that systems do not contain redundant or duplicate records. Verification approaches include:
- 4.5.4.1 Data cleansing to remove duplicate records or complete missing information
 - 4.5.4.2 Signing-off processes to verify that data has been checked
 - 4.5.4.3 Regular query reports to check system integrity
 - 4.5.4.4 Regular checks and sampling to quality assure data accuracy

Data presentation

- 4.5.5 **Validity:** Data needs to be presented in line with relevant requirements, rules and definitions to ensure clarity, consistency and comparability, in particular performance and open data.

Data Quality Objectives

- 4.6 The council's corporate objectives for data quality define a framework of management arrangements which will assure partners and other stakeholders that the quality of our data is reliable and sustainable. The council's corporate data quality objectives, together with actions required to achieve them are to:

Appropriate Responsibility, Accountability and Awareness

- 4.6.1 Every member of staff will recognise the need for good quality data and how they can contribute to it
- 4.6.2 Every member of staff will be aware of their individual responsibilities with regard to data collection, storage, analysis and reporting
- 4.6.3 Every member of staff will be aware of the implications of poor data quality in their area in terms of internal and external accountability including those affecting other departments and the Council as a whole
- 4.6.4 Every member of staff will report any systematic data quality issues immediately to their manager who should ensure remedial action is taken
- 4.6.5 Every member of staff will be aware of the policies related to data quality on security and data protection

Appropriate Policies and Procedures

- 4.6.6 The Council will define clearly its key data requirements and assurance arrangements
- 4.6.7 procedures must exist for all key activities such as major data collection exercises and external returns
- 4.6.8 All such policies and procedures should be reviewed regularly to consider their impact on data quality and to ensure they reflect any change in need

- 4.6.9 Departmental managers will ensure that all such policies and procedures are adopted and embedded within working processes and that compliance is achieved

Appropriate Systems and Processes

- 4.6.10 Clear systems and business processes should exist in which data collection and reporting
- 4.6.11 Guidelines for all processes supporting key data requirements will exist and be followed consistently
- 4.6.12 Data should be collected and recorded once only wherever possible without the need for multiple systems
- 4.6.13 systems should have validation checking facilities to ensure data is complete, consistent and internally validated

Appropriate Security

- 4.6.14 The Council will have in place appropriate security arrangements to ensure that data is protected from unauthorised access from outside the institution
- 4.6.15 All Council systems will have security arrangements in place to ensure appropriate levels of access to data by individual staff and students

Appropriate Staff Development

- 4.6.16 All members of staff accessing, inputting and amending data on Council systems must have the appropriate knowledge, competencies and capacity to carry out the activity and preserve data quality
- 4.6.17 All policies procedures and guidelines will be communicated effectively to relevant staff, and this will include policies on security and data protection as part of the wider consideration of data quality

Reporting and Presentation of Data

- 4.7 All management information reports will be clear in what they are representing, bearing in mind the audience for which they are intended, and regular reports should be reviewed to ensure that they reflect any change in need. The review should be balanced with the need for consistency over time so that trends can be recognised and reported.
- 4.8 External returns will be subject to rigorous validation and verification, submitted on a timely basis and will evidence a full audit trail, including appropriate approval and sign-off as specified by the body to whom the return is submitted, or agreed by the Information Council in the absence of such a recommendation.

New System Developments:

- 4.9 The identification and consideration of data quality risks and requirements will be undertaken as integral part of system development projects, or programmes, and risk assessed, as appropriate, in conjunction with relevant stakeholders.

Implementation

- 5.1 The Information Council will approve and monitor an annual action plan for information governance development and compliance, including data quality. The plan will detail key tasks, outcomes, accountabilities and progress to ensure high standards of data quality, based on the principles listed above.
- 5.2 The Data Services Team, in conjunction with the Data Council, will lead the development of Quality Action Plans to implement the quality principles and objectives detailed in this policy.
- 5.3 The Data Council will be responsible for the implementation of the plan including data cleaning activities, process or system improvements, training and awareness sessions and the ongoing monitoring of quality reports and actions to remedy emerging issues.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to using, managing and improving the quality of the Council's data.

Council Leadership Team

- 6.2 The Council Leadership Team has overall responsibility for information governance. This involves providing high-level support to ensure that each directorate applies relevant information governance policies and controls, including compliance with this policy. In particular, directors will be asked to nominate/ confirm information asset owners and data stewards.

Senior Information Risk Owner

- 6.3 The Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO). The SIRO has delegated authority through the Council Leadership Team with specific responsibility for information risk and mitigation, including risks around the quality of the Council's data. The Information Governance Manager is the Deputy Senior Information Risk Owner and deputises for the SIRO as required.

Information Council

- 6.4 The Information Council (IC) has delegated responsibility, through the SIRO and the Council Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide

the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure compliance with this policy

- 6.5 The Information Council will be responsible for the approval and on-going monitoring of the Quality Actions Plans.

Data Council

- 6.6 The Data Council has delegated authority through the IC and supports the implementation of the information governance strategy particularly the Data Quality work stream. The Data Council is chaired by the Information Governance Manager. Key responsibilities include:

- 6.6.1 The development, implementation and review of Quality Action Plans including:
- 6.6.1.1 Data cleansing
 - 6.6.1.2 Development of guidance and training on Data Quality
 - 6.6.1.3 Implementation of process or system improvements to improve data quality
- 6.6.2 Monitoring Data Quality Reports and ensuring that actions are undertaken at a service level to remedy issues and avoid reoccurrence
- 6.6.3 Escalate persist Data Quality issues and action plans to the Information Council.
- 6.6.4 Production of regular progress report for the Information Council

Information Governance Unit

- 6.7 The Information Governance Unit, in conjunction with the Data Services Team, will support the implementation of this policy as set out in the IC annual plan.

Data Services Team

- 6.8 The Data Services team provide specialist data analytical resources and services including data profiling, modelling, visualisation, quality and advanced analytics for the Council.
- 6.9 Data Services will support implementation of this policy in partnership with the Information and Data Councils as follows:
- 6.9.1 Development of the Data Warehouse and Data Quality Toolsets
 - 6.9.2 Lead the development of Quality Action Plans in association with the Data Council.
 - 6.9.3 Produce regular systems data quality reports and provide support to the Data Council to identify and implement remedial actions and as required escalate risks through the Councils Risk Management Framework.

- 6.9.4 Produce a suite of Quality Performance Reports to monitor data quality and progress against the Quality Action Plans for the Data Council and Information Council.

Managers and supervisors

6.10 All managers must:

- 6.10.1 Ensure that clearly documented systems and processes are in place to deliver high quality data
- 6.10.2 Ensure arrangements in place to quality assure data, and carry out on a regular basis
- 6.10.3 Ensure staff have the necessary skills and knowledge required to capture, process and deliver high quality data
- 6.10.4 Support the implementation of approved Quality Action plans and ongoing monitoring of data quality
- 6.10.5 Never knowingly use inaccurate or incomplete data for reporting purposes, and highlight any known risks or issues to the Information Asset Owner

6.11 As the Information Asset Register is developed and extended to identify and manage the Council's information assets, relevant managers will be designated as Information Asset Owners, including responsibilities for data quality

Staff

6.12 All staff must:

- 6.12.1 Read, understand and follow this policy and any associated procedures that relate to the capture, use and management of Council data
- 6.12.2 Handle Council data in a way which is responsible and make every effort to ensure its accuracy, validity, reliability, timeliness, relevance and verifiability
- 6.12.3 Communicate any risks or concerns to line managers concerning the capture or use of data
- 6.12.4 Assist with the implementation of approved Quality Action Plans and actions to address emerging issues identified by the Data Council.
- 6.13 As part of their role and remit, individuals may also be nominated as Data Stewards (by Information Asset Owners) with operational responsibility for data quality issues.

Related documents

Council Policy

- 7.1 Data Quality Policy
- 7.2 ICT Acceptable Use Policy

- 7.3 Information Governance Policy
- 7.4 Information Rights Policy
- 7.5 Records Management Policy
- 7.6 Reuse of Public Sector Information Policy

Codes, Guidance, Procedures and Strategy

- 7.7 Employee Code of Conduct
- 7.8 Open Data Strategy

Equalities impact

- 8.1 There are no equalities issues arising from this policy.

Sustainability impact

- 9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 The risks of not implementing this policy include:
 - 10.1.1 Distress or harm to individuals or organisations.
 - 10.1.2 Reputational damage to the Council.
 - 10.1.3 Financial loss or monetary penalty imposed.
 - 10.1.4 Detrimental impact on Council business and service delivery.
 - 10.1.5 Non-compliance with legislation and potential litigation.

Review

- 11.1 This policy will be reviewed annually or more frequently if required by significant changes in legislation, regulation or business practice. It will be reviewed by the Information Council and presented to Council committee annually, in line with the Council's Policy Framework.

Appendix 5 – Information Rights Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer Kevin Wilbraham, Information Governance Manager

Author Douglas Stephen, Information Rights Manager

Scheduled for review

Version control

Version	Date	Author	Comment
0.1	18-07-2016	Douglas Stephen	Policy created; incorporates elements of previous FOI Policy
0.2	22-07-2016	Kevin Wilbraham	Policy revised and circulated
0.3	15-08-2016	Kevin Wilbraham	Comments incorporated and further revisions made
0.4	03-09-2016	Kevin Wilbraham	Draft version agreed by Head of Strategy (Interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30/09/2014	Corporate Policy & Strategy	Information Governance Policies	Minute

Information Rights Policy

Policy statement

- 1.1 This Policy formalises the City of Edinburgh Council's approach to facilitating and promoting our citizen's information rights. In particular, it sets out the Council's commitment to the following principles:
 - 1.1.1 To respect the information rights of individuals in accordance with the principles set out in the Data Protection Act 1998, Freedom of Information (Scotland) Act 2002, Environmental (Scotland) Regulations 2004, INSPIRE (Scotland) Regulations 2009 and the Pupils' Educational Records (Scotland) Regulations 2003.
 - 1.1.2 To advise and assist people in exercising their rights of access to information held by the Council.
 - 1.1.3 To maximise the publication of information through the Council's Publication Scheme, FOI Disclosure Log and other initiatives, including Open Data, and to promote a culture of openness within the Council.
 - 1.1.4 To conduct business in an open, accountable and transparent way to promote trust in how the Council operates.

Scope

- 2.1 This policy applies to all employees of the Council (including temporary staff) and elected members when carrying out official duties for the Council. It also applies to third parties who hold or manage information on the Council's behalf. Any contractor or agent performing work for, or on behalf of the Council, will be required to assist the Council in implementing its obligations under legislation with particular reference to the prompt provision of information where requested by the Council.
- 2.2 This policy addresses the rights individuals have to request information held by the Council, subject to certain limited conditions and exemptions, exceptions or limitations. This includes:
 - 2.2.1 All recorded information within the definitions contained in the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.
 - 2.2.2 Spatial data sets, or spatial data services about the environment or metadata relating to these as defined by the INSPIRE (Scotland) Regulations 2011.
 - 2.2.3 Personal information within the definition contained in the Data Protection Act 1998.

- 2.2.4 Pupil information as defined under Pupils' Educational Records (Scotland) Regulations 2003.
- 2.3 This policy also addresses the rights granted to individuals under the Data Protection Act 1998 regarding the processing of their personal data.

Definitions

- 3.1 **Data Controller:** a legal person or organisation who determines the purposes for which, and manner in which, personal information is to be processed. This may be an individual or an organisation. Data Controllers can process personal data jointly with other data controllers for specified purposes. The City of Edinburgh Council is a data controller. Elected members are data controllers for the purposes of their constituency work.
- 3.2 **Data Protection Act 1998:** gives effect in the UK law to the EC Directive 95/46/EC and came into force on 1 March 2000 repealing the Data Protection Act 1984. The Data Protection Act 1998, together with a number of Statutory Instruments, requires data controllers to comply with the legislation governing how personal data is used for statutory and business purposes. Amendments have also been created by other legislation such as the Freedom of Information Act 2000. It gives rights to individuals in relation to how organisations can use their personal data.
- 3.3 **Data Subject:** is a living individual who can be identified from the personal data or from additional information held, or obtained, by the Council. For example, a CCTV image which can identify someone when linked to building access control codes.
- 3.4 **Exemptions:** Part 2 of the Freedom of Information (Scotland) Act 2002 contains a number of exemptions which, if applicable, means that information covered by a request does not need to be disclosed. Similarly, under the Data Protection Act 1998 exemptions or restrictions may be applied in certain circumstances.
- 3.5 **Exception:** This is a regulation under regulations 10 or 11 of the Environmental Information (Scotland) Regulations 2004 which, if applicable to information covered by the request, means that the information does not need to be disclosed.
- 3.6 **Information:** This is information recorded in any form or format held by the Council, or information held by a third party on the Council's behalf.
- 3.7 **Limitation:** This is a regulation under regulation 10 of the INSPIRE (Scotland) Regulations 2009 which, if applicable to the information covered by the request, means that the information does not need to be disclosed.
- 3.8 **Parent:** parents, guardians, individuals who hold parental responsibilities and individuals who have care of a child (e.g. a foster parent or another relative).
- 3.9 **Personal data (or information):** information about a living individual who can be identified from that information or from additional information held, or

obtained, by the Council. Examples of personal data are contained in paper files, electronic records and visual and audio recordings.

- 3.10 **Records management:** These are the processes and practices that ensure Council records are systematically controlled and maintained, covering the creation, storage, management, access, and disposal of records, in compliance with best practice, legal obligations and policy requirements.
- 3.11 **Scottish Information Commissioner:** is responsible for the promotion and enforcement of the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004 and the INSPIRE (Scotland) Regulations 2009 and any associated Codes of Practice.
- 3.12 **Senior Information Risk Owner:** the Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO). The SIRO has delegated authority through the Council Leadership Team with specific responsibility for information rights.
- 3.13 **Sensitive personal data:** requires a higher level of consideration. Information will be considered 'sensitive personal data' if it relates to a person's: racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition, sexual life, and criminal offences or alleged criminal activity (including any criminal proceedings).
- 3.14 **Subject Access Request (SAR)** - the right granted to an individual by the Data Protection Act 1998 to request a copy of personal information held about them.
- 3.15 **UK Information Commissioner** - is the independent regulator responsible for ensuring all organisations comply with the Data Protection Act. Organisations are required to notify the ICO of how they process personal data and if they breach the Act. The Commissioner has been granted enforcement powers regarding non-compliance, these include the ability to issue information and enforcement notices, impose large fines (up to £500,000), and bring a criminal case against an organisation. Further information about data protection is available on the ICO website at www.ico.org.uk.

Policy content

Dealing with Requests

- 4.1 The Council has statutory obligations around access to its information. It will comply with these as follows:
 - 4.1.1 Providing a general right of access to its recorded information, excluding environmental information and personal information, under the Freedom of Information (Scotland) Act 2002.
 - 4.1.2 Providing access to its recorded environmental information under the Environmental Information (Scotland) Regulations 2004. These concern matters such as air, water, soil, landscaping, natural sites, biodiversity, human health and safety, and decisions and activities affecting these issues.

- 4.1.3 Providing access to any of its spatial datasets or spatial data services about the environment, with appropriate metadata, under the INSPIRE (Scotland) Regulations 2009.
- 4.2 The Council will also meet its statutory obligations under Data Protection Act 1998, by supporting individuals in understanding what information is held about them and providing them with a copy of that information, where appropriate. This is known as a 'subject access request' (SAR).
- 4.3 The Council will also meet its obligations under the Education (Pupil Records) (Scotland) Regulations, 2003, and give parents access to their child's educational records.
- 4.4 In all of these statutory obligations, the Council has the right and duty to apply certain limitations and exemptions to protect legitimate interests. In particular, it will not provide personal data of third parties without their consent, vital interest or a statutory basis to do so.
- 4.5 All responses to requests for information will be agreed by a Senior Manager (Tier 3) within the relevant service before they are released.
- 4.6 The Council will treat any individual request for personal data that has already been sent or disclosed to that individual as a 'business as usual' request and send replacement copies, subject to being satisfied of the individual's identity and right to receive the information.

Request timescales

- 4.7 The Council will respond to all requests promptly following receipt of a valid request, and will respond within the statutory timescales, as set out below.
 - 4.7.1 Freedom of Information (Scotland) Act 2002: 20 working days
 - 4.7.2 Environmental Information (Scotland) Regulations: 20 working days
 - 4.7.3 INSPIRE (Scotland) Regulations 2009: 20 working days
 - 4.7.4 Data Protection Act 1998: 40 calendar days
 - 4.7.5 Pupils' Educational Records (Scotland) Regulations 2003: 15 school days
- 4.8 The Council will notify any requestor where a response is likely to be late and will provide a new estimated response date along with advice on their statutory rights.
- 4.9 Under the Environmental Information (Scotland) Regulations, 2004, the Council can extend the timescale for responding to a request for a further 20 working days, in certain and limited circumstances. The requestor will be notified if the Council does intend to extend the timescale for response and the reason why.

Publishing information

- 4.10 The Council will proactively publish information to promote and facilitate a culture of openness and transparency. In particular, it will:

- 4.10.1 Maintain an up to date publication scheme, as required under the Freedom of Information (Scotland) Act 2002, detailing what information the Council routinely makes publicly available.
- 4.10.2 Identify data which can be shared and used publicly through the Council's Open Data Strategy.
- 4.10.3 Maintain a publicly available disclosure log which records all requests for information received, and shows the responses issued in relation to those requests.

Withholding and redacting information

- 4.11 Where the Council seeks to rely on any exemption, exception, condition or limitation for withholding information, it will explain, in detail to the requestor, why this applies to the information requested.
- 4.12 Similarly, the Council will explain to a requestor why information has been redacted or extracted in order to meet conflicting statutory obligations to both provide access and protect the legitimate interests of third parties.
- 4.13 The Council will not routinely redact the names of Council officials from information produced in the course of their work, but reserves the right to do so in specific circumstances.

Charging for requests

- 4.14 The Council will not charge for information provided in the Council's Publication Scheme, unless otherwise stated. There may be a charge for printing and postage.
- 4.15 The Council will charge requests made under FOI(S)A , EIRs and INSPIRE Regulations where it is appropriate to do so. These charges will be based on statutory guidance and will be published on the Council's website.
- 4.16 The Council does not routinely charge for subject access requests or requests to view pupil educational records, but reserves the right to do so in line with statutory guidance.

Reviewing requests

- 4.17 The Council will meet its statutory obligations in providing a process to review its decisions and performance in relation to information request under information rights legislation.
- 4.18 The Council has 20 working days to respond to such requests but will inform applicants where this may be late.
- 4.19 The Council commits to supporting the Scottish Information Commissioner, when investigating complaints made against it, and will comply with any decision notices issued by the Commissioner.

- 4.20 While there is no statutory requirement for the Council to review any concerns raised in relation to the SAR process, the Council will review any such requests for review and respond within 20 working days. The Council does not seek to affect the statutory rights of individuals to notify the UK Information Commissioner's Office if they are unhappy with how the Council has acted.
- 4.21 The Council will review any concerns raised in relation to the provision of pupil information under the Pupils' Educational Records (Scotland) Regulations 2003 and respond within 20 working days.

Rectification, blocking, erasure and destruction of personal data

- 4.22 The Council will meet its obligations in relation to the accuracy of personal data under the Data Protection Act 1998 and the Pupils' Educational Records (Scotland) Regulations 2003 by considering and responding to requests made in writing by a data subject or parent to have any factually inaccurate personal data corrected, blocked, erased or destroyed.
- 4.23 The Council will not alter its records if a data subject or parent disagrees with a recorded professional opinion about them or their child. Where there is disagreement, the Council will notify the data subject or parent and set out the reasons for the decision.

Distress and automated decision making

- 4.24 Under the Data Protection Act, 1998 alone, there are two further types of requests the Council will consider. These are:
- 4.24.1 Requests made in writing from a data subject to stop using their personal data where they believe that use is causing them substantial damage or distress.
- 4.24.2 Requests made in writing from a data subject that any decision that has a significant effect on them is not based solely on automated decision making methods.
- 4.25 The Council will respond in writing to these notices within 21 days.

Implementation

- 5.1 The Information Council will approve and monitor an annual action plan for information governance development and compliance, including information rights legislation. The plan will outline key tasks, outcomes, accountabilities and progress.
- 5.2 Key measurements of successful implementation of this policy will be:
- 5.2.1 Meeting statutory deadlines when responding to requests
- 5.2.2 Managing the review processes to address concerns without regulator involvement

- 5.2.3 Operating a model of continuous review and improvement when responding to requests.
- 5.3 Performance will be routinely reported to the Information Council, Council Leadership Team and other senior management teams, where appropriate
- 5.4 Council staff will be given awareness, induction and refresher training on information rights legislation.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to compliance with the access legislation detailed in this policy.

Council Leadership Team

- 6.2 The Council Leadership Team has overall responsibility for information governance. This involves providing high-level support to ensure that each directorate and locality applies relevant information governance policies and controls, including compliance with information rights legislation.

Information Council

- 6.3 The Information Council (IC) has delegated responsibility, through the Senior Information Risk Owner and the Council Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure compliance access legislation and associated codes of practice.

Information Governance Unit

- 6.4 The Information Governance Unit will:
 - 6.4.1 Act as the first point of contact for all information rights issues affecting the Council
 - 6.4.2 Log, process and respond to all information requests received by the Council (excluding any requests under the Pupils' Educational Records (Scotland) Regulations 2003 which are dealt with directly by the school)
 - 6.4.3 Assess and log requests and allocate to the relevant service to ask them to identify any relevant, recorded information that they hold which would fulfil the request
 - 6.4.4 Provide the final decision as to whether any exemption/ exception/ limitation applies to the information requested from the Council

- 6.4.5 Support schools and teachers in complying with the Pupils' Educational Records (Scotland) Regulations 2003
- 6.4.6 Publish details of all requests and the responses to these on the Council's disclosure log

Information Rights Manager

- 6.5 The Information Rights Manager is responsible for co-ordinating the work of the Information Rights Team, as well as monitoring the manner and timescales in which requests for information are dealt with.
- 6.6 The Information Rights Manager reports on compliance with the policy and procedures, and also provides monthly performance reports, as required
- 6.7 The Information Rights Manager also provides guidance and training and has responsibility for the Council's Publication Scheme.

Review Officer

- 6.8 To ensure impartiality, reviews of decisions where the applicant is dissatisfied with how their response has been dealt with are carried out by the Council's Review Officer. The Review Officer is part of the Information Compliance Team under the Information Governance Unit.
- 6.9 The Review Officer also acts as the liaison link with external regulators and provides submissions in relation to any appeals made by applicants.

Managers and supervisors

- 6.10 All managers and supervisors have a responsibility for enabling effective information governance within their respective service areas and teams. In relation to this policy this includes:
 - 6.10.1 The provision of local and effective arrangements to ensure the timely return of relevant information to the Information Governance Unit. This includes compliance with the Council's Records Management and Managing Personal Data Policies.
 - 6.10.2 Ensuring that staff have received information governance training and are aware of their role and responsibilities in relation to identifying and processing requests for information, and assisting applicants.

Head teachers

- 6.11 All Head Teachers must ensure effective arrangements are in place to ensure compliance with the provisions of the Pupils' Educational Records (Scotland) Regulations 2003, including:
 - 6.11.1 Acknowledging all parental requests to access educational records

- 6.11.2 Ensuring that requests are valid (requests must be in a written format; must state the name of the applicant and an address for correspondence; and describe the information being requested).
- 6.11.3 Making arrangements for parents to visit and view records within 15 school days
- 6.11.4 Ensuring that only relevant information is made available

Staff

- 6.12 All Council staff will:
 - 6.12.1 Be aware of that the Council has obligations to identify, support and respond to statutory requests for information under the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, the INSPIRE (Scotland) Regulations 2009, the Data Protection Act 1998.
 - 6.12.2 Be able to identify statutory request for information from business as usual requests
 - 6.12.3 Provide basic advice and assistance to persons making such requests for information
 - 6.12.4 Know to pass any these requests to the Information Governance Unit for logging and processing
- 6.13 Council staff that are nominated as information rights contacts within their service area are expected to assist the Information Governance Unit in providing information and context in responding to requests.
- 6.14 Nominated contacts must ensure that any information provided is signed off by a Tier 3 manager prior to this being passed to the Information Governance Unit for responding.

School staff

- 6.15 All school staff must additionally:
 - 6.15.1 Be aware of the requirements of the Pupils' Educational Records (Scotland) Regulations 2003
 - 6.15.2 Be able to identify any request that falls under Pupils' Educational Records (Scotland) Regulations 2003
 - 6.15.3 Provide advice and assistance to parents making requests for information
 - 6.15.4 Know to pass any information request onto the Head Teacher

Related documents

Council Policy

- 7.1 Archives Policy
- 7.2 Data Quality Policy
- 7.3 Information Governance Policy
- 7.4 Managing Personal Data Policy
- 7.5 Record Management Policy
- 7.6 Re-use of Public Sector Information Policy

Codes, Guidance, Procedures and Strategy

- 7.7 [Section 60 Code of Practice: Function under FOI\(S\)A](#)
- 7.8 [Section 61 Code of Practice: Records Management and FOI\(S\)A](#)

Legislation

- 7.9 [Data Protection Act, 1998](#)
- 7.10 [Environmental Information \(Scotland\) Regulations](#)
- 7.11 [Freedom of Information \(Scotland\) Act 2002](#)
- 7.12 [The Pupil's Educational Records \(Scotland\) Regulations](#)

Equalities impact

- 8.1 There is no adverse impact on any group in terms of race, religion, disability, ethnic origin, sexuality or age in relation to this policy.
- 8.2 The Act includes clauses relating to information about young children and secondary legislation provides legislative grounds to be followed when dealing with personal information about people who have a limited capacity as to the understanding of their rights under the Act. Secondary legislation also provides clauses to ensure compliance with specific categories of information such as adoption and education records.

Sustainability impact

- 9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 The risks of not implementing this policy include:
 - 10.1.1 Distress or harm to individuals or organisations.

- 10.1.2 Reputational damage to the Council.
- 10.1.3 Financial loss or monetary penalty imposed.
- 10.1.4 Detrimental impact on Council business and service delivery.
- 10.1.5 Non-compliance with legislation and potential litigation.

Review

- 11.1 This policy will be reviewed annually or more quickly if required by significant changes in legislation, regulation or business practice. It will be reviewed by the Information Council and presented to the Council committee annually, in line with the Council's Policy Framework.

Appendix 6 – Information Security Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer Neil Dumbleton, Enterprise Architect
Kevin Wilbraham, Information Governance Manager

Author Henry Sullivan, Information Asset Manager
Sarah Hughes-Jones, Information Compliance Manager

Scheduled for review

Version control

Version	Date	Author	Comment
0.1	07-07-2016	Henry Sullivan Sarah Hughes-Jones	Initial draft created and circulated for comment
0.2	29-07-2016	Kevin Wilbraham Henry Sullivan	Revisions made and incorporated
0.3	04-08-2016	Kevin Wilbraham Sarah Hughes-Jones	Further revisions made and incorporated
0.4	22-08-2016	Kevin Wilbraham	Consultation version circulated
0.5	24-08-2016	Henry Sullivan	Revisions in light of ICT Solutions consultation
0.6	03-09-2016	Henry Sullivan	Draft versions agreed with Head of Strategy (Interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
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Information Security Policy

Policy statement

- 1.1 The Council has statutory responsibilities to make sure that the data and information it creates or receives is kept safe and used appropriately.
- 1.2 The Council depends on the confidentiality, integrity and availability of its information to such an extent that a serious breach of information security could impact on the Council's ability to deliver a wide range of statutory services.
- 1.3 The Council also has contractual obligations to ensure sound security if it is to use the Government's Public Services Network (PSN); meet Payment Card Industry Data Security Standards (PCI DSS), or receive or share information with partner agencies under information sharing arrangements.
- 1.4 In setting out the Council's information security arrangements, this policy confirms the Council's commitment to its citizens, visitors, employees and business partners that Council information and data will be properly protected, valued and secured.
- 1.5 The Council's information security arrangements are based on the provisions of the ISO/IEC 27000 series (the industry standard for information security) and the development and maintenance of an Information Security Management System (ISMS), consisting of this policy and associated standards and protocols.
- 1.6 The Council requires that its Directorates, Localities, staff and partners operate and deliver its services in compliance with the ISMS and associated standards.
- 1.7 Failure to comply with this policy may result in sanctions up to and including dismissal or contract termination, as well as the possible involvement of law enforcement and relevant external regulators.

Scope

- 2.1 This policy and related protocols, procedures and guidance under the Council's ISMS applies to:
 - 2.1.1 All data and information created, received and managed in the course of Council business.
 - 2.1.1 All permanent and temporary Council employees, volunteers, people on work placements and elected members when acting as officers of the Council
 - 2.1.1 All third parties, contractors and suppliers accessing or handling Council information, equipment, network or systems.

Definitions

- 3.1 **BS ISO/IEC 27001:2013:** This International Standard specifies the requirements for establishing, implementing, maintaining and continually improving an information security management system within the context of an organisation, such as the Council.
- 3.2 **Data:** the raw input from which information of value is derived.
- 3.3 **Information** means any information recorded in any form.
- 3.4 **Information asset:** a body of information defined and managed as a single unit or aggregate so it can be understood, shared, protected and exploited effectively.
- 3.5 **Information asset owners:** Heads of Service involved in managing a business area(s) with responsibility for the information assets within their respective business area(s).
- 3.6 **The Information Council (IC):** has delegated responsibility, through the SIRO and the Council Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure information governance compliance.
- 3.7 **Information security:** ensures that Council information is not compromised by unauthorised access, modification, disclosure or loss.
- 3.8 **Information Security Management System:** preserves the confidentiality, integrity and availability of information by applying a risk management process and gives confidence to internal and external stakeholders that risks are adequately managed.
- 3.9 **Information sharing:** ensures that Council information is shared in a compliant, controlled and transparent manner.
- 3.10 **Organisational controls:** are measures that instruct and define responsibilities and expected behaviours and practices in terms of information security (e.g. policies, procedures, guidance)
- 3.11 **Privacy impact assessment:** a risk management method that reduces the risks of harm to individuals through the misuse of their personal information, and can help with the design of processes for handling personal data. It is used when projects, or changed service activities, or new ICT impact on the privacy of individuals.
- 3.12 **Security impact assessment:** ensures that necessary security controls are integrated into the design and implementation of a project.
- 3.13 **Senior Information Risk Owner:** the Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO). The SIRO has delegated authority through the Council Leadership Team with specific responsibility for information risk and mitigation.

- 3.14 **Technical controls:** are measures that limit and define access and action via network and system configuration in terms of information security (e.g. account management, back up cycles, encryption and firewalls)

Policy content

Strategic approach

- 4.1 The Council's strategic approach to information security is based on:
- 4.1.1 The continued development and implementation of an information security strand within the Council's Information Governance Framework.
 - 4.1.2 The alignment of all elements of information security with ISO 27000 (Information Security Management), which is the industry standard for information security and HMG Security Policy Framework
 - 4.1.3 A documented Information Security Management System (ISMS) which details the Council's information security management arrangements and the application of control measures in detail.
 - 4.1.4 The regular review of the ISMS to identify improvements, and to ensure on-going maintenance and implementation of the system.
 - 4.1.5 The continuing availability of specialist information governance/security advice to support the implementation process for information security, and the other areas within the Information Governance Framework.
- 4.2 In line with the requirements of the Data Protection Act of 1998, the Council has both organisational and technical measures to secure its information. The development, implementation and assurance of these measures are divided between ICT Solutions (Technical) and the Information Governance Unit (Organisational).

Organisation of the Information Security Management System

- 4.3 The Council's information security management system will consist of protocols, procedures and guidance, all underpinned by this policy.
- 4.4 This management system will conform to the ISO 27001 standard and will cover the following areas of control:
- 4.4.1 Human Resources Security and Supplier Management
 - 4.4.2 Information Asset Management
 - 4.4.3 Access Management
 - 4.4.4 Cryptography
 - 4.4.5 Physical and Environmental Security
 - 4.4.6 Business & ICT Operations Security

- 4.4.7 Protective Marking and Information Handling
- 4.4.8 Mobile Devices and Removable Media Management
- 4.4.9 Business Continuity Management
- 4.5 Each area of control within the management system will have a protocol that outlines compliance requirements. Protocols will be supported by procedures and additional guidance.
- 4.6 The Council requires that its Directorates, Localities, staff and partners operate and deliver its services in compliance with these standards.
- 4.7 The Head of ICT Solutions and the Head of Strategy and Insight are the owners of this management system and are responsible for its implementation, maintenance and performance.
- 4.8 Change control and oversight of process and documentation within the management system will be the responsibility of the Information Council and supported by the Information Governance Unit and ICT Solutions.
 - 4.8.1 Final versions of all documentation of the management system will be maintained by the Information Governance Unit.
- 4.9 Delivery of the information security management system will be carried out in partnership between the Council and its ICT Provider, CGI Ltd.
 - 4.9.1 The relevant ICT roles and responsibilities and management structure within CGI have been identified in the Security Management Plan arising from Schedule 2.4 of the Council's IT Procurement Contract.

Monitoring of the Information Security Management System

- 4.10 The Information Council will routinely review the management system's performance to ensure that it meets the Council's statutory and business requirements and its overall strategic objectives.
- 4.11 The management system will also be reviewed in response to significant incidents or changes to legislation or regulation.
- 4.12 To support this, the management system will be monitored for effectiveness and non-compliance by an Information Security subgroup of the Information Council made up of the following Council service areas:
 - 4.12.1 ICT Solutions
 - 4.12.2 Information Governance Unit
 - 4.12.3 Facilities Management
 - 4.12.4 Human Resources
- 4.13 This group will produce reports for the Information Council and SIRO (as appropriate), including:

- 4.13.1 An annual report detailing the system's effectiveness, resourcing, changes and risks
- 4.13.2 Quarterly reports detailing security incidents

Communicating the Information Security Management System

- 4.14 The management system will be broadly communicated to staff and partners through the Council's annual information governance communications plan.
- 4.15 Communications around specific incidents or threats will be managed by ICT Solutions and CGI (IT incidents and threats) and the Information Governance Unit (organisational incidents and threats), with coordination from the information security subgroup and assistance from Council's Communications service as required.

Risk assessment & management process

- 4.16 Information security will be risk assessed, documented, managed and mitigated within the Council's wider Risk Management Framework, with regular reporting to the relevant Council risk committees.
- 4.17 ICT Solutions and the Information Governance Unit will monitor and support managers in identifying, evaluating and mitigating information security risks.
- 4.18 They will also undertake periodic audits and risk assessments in their own right, reporting to managers and information asset owners as appropriate.
- 4.19 Identified information security risks can be escalated to the SIRO and be reviewed and managed through the IC if required by the SIRO.

Incident management

- 4.20 Information security breaches must be reported via the Council's Information Security Incident Management Procedure as soon as possible by the individuals who have caused or discovered the breach.
- 4.21 While it is appropriate for staff to initially report an incident to their manager where they are available, this must then be reported according to the Information Security Incident Management Procedure as quickly as possible.
- 4.22 While individual incidents will be handled by the most relevant Council service area, the Information Security subgroup will coordinate and monitor all Council information security breaches.

Information Security in Project Management

- 4.23 Council projects that involve the handling and sharing of information are covered under the Council's information security arrangements.

- 4.24 These projects will require a Security Impact Assessment to be undertaken by the relevant project manager or officer with the support of ICT Solutions and the Information Governance Unit, as appropriate.
- 4.25 Council projects that impact on the privacy of individuals will also require a privacy impact assessment to identify and document appropriate governance controls required to manage the privacy risks associated with new or changed processes that involve personal data.

Training

- 4.26 This policy and associated protocols will underpin all information security training, both mandatory and refresher training. Training will be supported by further detailed guidance on the Council's intranet.

Implementation

- 5.1 Implementation of this policy will be undertaken through the continued development, roll out and maintenance of a Council-wide information security management system.
- 5.2 The information security management system will itself be implemented and continuously improved by the member service areas of the Information Security subgroup through the information security work stream of the Information Council's annual plan.
- 5.3 Progress and performance will be monitored by the Information Council and reported to the SIRO as appropriate.
- 5.4 The protocols and guidance of the management system will need to be implemented by managers into business processes and other local documentation. The Information Security Team and Information Governance Unit will support this process, as required.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to compliance with the Council's Information Security Management System.

Council Leadership Team

- 6.2 The Council Leadership Team has overall responsibility for Information Governance. This involves providing high-level support to ensure that directorates and localities apply relevant information governance policies and

controls, including compliance with the Council's Information Security Management System.

Senior Information Risk Owner

6.3 The Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO). The SIRO has delegated authority through the Council Leadership Team with specific responsibility for information risk and mitigation, including technical and organisational risks around information security.

Deputy Senior Information Risk Owner

6.4 The Information Governance Manager deputises for the SIRO as required and ensures that the Information Governance Framework is compliant with the Council's overall approach to corporate governance.

Information Asset Owners

6.5 Heads of Service are nominated information asset owners with overall responsibility for identifying and addressing any information risks relating to the information assets within their areas, including technical and organisational risks around information security.

Information Council

6.6 The Information Council has delegated responsibility, through the SIRO and the Council Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure compliance with the Council's Information Security Management System.

ICT Security Manager - CEC

6.7 The Council's ICT Security Manager is part of ICT Solutions and is the operational lead on technical IT risks and is responsible for overseeing and implementing appropriate controls, in line with best practice, compliance frameworks and this policy. The Information Security service works closely with the Information Governance Unit and the ICT partner to ensure that information governance policies, standards, rules and assurance are applied and assured.

ICT Security Manager - CGI

6.8 CGI's IT Security Manager provide an independent view of IT security across the City of Edinburgh Council ICT Transformation Environment and co-ordinates operational security activities across the various CGI provided programmes and

services in accordance with Information Security Management System and associated plans.

Information Compliance Manager

- 6.9 The Council's Information Compliance Manager is the operational lead on organisational risks around information security. They are responsible for:
- 6.9.1 Coordinating and implementing appropriate organisational controls and measures, in line with best practice, compliance frameworks and this policy, and in conjunction with Facilities Management, ICT Solutions and Human Resources.
 - 6.9.2 Assessing and reporting on those controls in line with the Council's Information Security Management System.
 - 6.9.3 Receiving and managing relevant breach and incident reporting and ensure remedial actions have been undertaken and completed, in conjunction with ICT Security.

Facilities Management

- 6.10 Facilities Management will undertake the routine operation of physical security controls within the Council's estate.

Human Resources

- 6.11 Human Resources will monitor and provide assurance on organisational security controls in relation to staffing issues.

Managers and supervisors

- 6.12 Managers and supervisors have a number of responsibilities in relation to information security, and information governance more generally. These are set out in the protocols that form part of the Council's Information Security Management System and the Council's Information Governance Framework. These must be followed at all times.
- 6.13 In particular, managers and supervisors are responsible for ensuring that all permanent and temporary staff, contractors, partners, suppliers and customers of the Council who have access to Council Information Systems, or information used for council purposes have read and understood this policy (including associated protocols and guidance), and undertaken mandatory training in information governance and information security.

All staff

- 6.14 Information security is the responsibility of all staff. Individuals must ensure that they have read and understood this policy (including associated protocols and

guidance), and undertaken mandatory training in information governance and information security.

Related documents

Council Policy

- 7.1 Archives Policy
- 7.2 Data Quality Policy
- 7.3 ICT Acceptable Use Policy
- 7.4 Information Governance Policy
- 7.5 Information Rights Policy
- 7.6 Managing Personal Data Policy
- 7.7 Records Management Policy

Codes, Guidance, Procedures and Strategy

- 7.8 Employee Code of Conduct
- 7.9 In addition to the above there will be a suite of protocols, procedures and guidance on information security developed and published as part of the Council's Information Security Management System

Legislation

- 7.10 [Computer Misuse Act, 1990](#)

Standards

- 7.11 *ISO/IEC 27000 series – Information technology — Security techniques — Information security management systems*

Equalities impact

- 8.1 There are no equalities issues arising from this policy.

Sustainability impact

- 9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 The principles of information security are underpinned by legislation, and the consequences of a serious breach of information security are severe.

- 10.2 The risks of not implementing this policy include:
- 10.2.1 Distress or harm to individuals or organisations.
 - 10.2.2 Reputational damage to the Council.
 - 10.2.3 Financial loss or monetary penalty imposed.
 - 10.2.4 Detrimental impact on Council business and service delivery.
 - 10.2.5 Non-compliance with legislation and potential litigation.

Review

- 11.1 This policy will be reviewed annually or more frequently if required by significant changes in legislation, regulation or business practice. It will be reviewed by the Information Council and presented to Council committee annually, in line with the Council's Policy Framework.

Appendix 7 – Managing Personal Data Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer Kevin Wilbraham, Information Governance Manager

Author Sarah Hughes-Jones, Information Compliance Manager

Scheduled for review

Version control

Version	Date	Author	Comment
0.1	06-07-2016	Sarah Hughes-Jones	Draft policy created; incorporates elements of previous Data Protection Policy
0.2	21-08-2016	Kevin Wilbraham	Minor comments incorporated; draft circulated
0.3	23-08-2016	Kevin Wilbraham	Further comments incorporated
0.4	26-08-2016	Kevin Wilbraham	Reformatting and updates around guidance
0.5	03-09-2016	Kevin Wilbraham	Draft version agreed with Head of Strategy (interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30/09/2014	Corporate Policy & Strategy	Information Governance Policies	Minute

Managing Personal Data Policy

Policy statement

- 1.1 This policy sets out and formalises the City of Edinburgh Council's (the Council) approach to managing personal data in accordance with the requirements of the Data Protection Act 1998, and in preparation for the General Data Protection Regulation.
- 1.2 It outlines the Council's commitment to the principles enshrined within the Act, and the need to balance the rights of individuals with the functions and operational requirements of the Council.

Scope

- 2.1 This policy applies to:
 - 2.1.1 All personal data held, maintained and used by the Council in all locations and in all media (hardcopy and electronic).
 - 2.1.2 All Council staff, including temporary staff, contractors, consultants and volunteers that access and use Council information; and
 - 2.1.3 All third parties that manage and process personal data on the Council's behalf when carrying out a statutory Council function or service

Definitions

- 3.1 **Data Controller** – a legal person or organisation who determines the purposes for which, and manner in which, personal information is to be processed. This may be an individual or an organisation. Data Controllers can process personal data jointly with other data controllers for specified purposes. The City of Edinburgh Council is a data controller. Elected members are data controllers for the purposes of their constituency work.
- 3.2 **Data Processor** – is a person, other than an employee of the Council, who processes personal data on behalf of the Council. This processing must be evidenced in a written contract. The data processor can only use personal data under the instructions of the Council. The Council retains full responsibility for the actions of the data processor in relation to the personal data.
- 3.3 **Data Protection Act 1998** – gives effect in the UK law to the EC Directive 95/46/EC and came into force on 1 March 2000 repealing the Data Protection Act 1984. The Data Protection Act 1998, together with a number of Statutory Instruments, requires data controllers to comply with the legislation governing

how personal data is used for statutory and business purposes. Amendments have also been created by other legislation such as the Freedom of Information Act 2000. It gives rights to individuals in relation to how organisations can use their personal data.

- 3.4 **Data Subject** – is a living individual who can be identified from the personal data or from additional information held, or obtained, by the Council. For example, a CCTV image which can identify someone when linked to building access control codes.
- 3.5 **Edinburgh Integrated Joint Board (EIJB)** – is responsible for delivering the Integration Scheme for the integration of adult health and social care. This is a joint enterprise between the Council, NHS Lothian, and the EIJB constituted under the Public Bodies (Joint Working)(Scotland) Act 2014.
- 3.6 **Enforcement Notice** – The Information Commissioner has the power to serve an enforcement notice on a data controller if he determines that a data controller has failed to comply with the requirements of the Data Protection Act 1998. The Notice sets out the actions that a data controller must take to achieve compliance. A data controller can lodge an appeal against the Notice to the Information Tribunal. It is a criminal offence for a data controller to fail to comply with a valid Enforcement Notice.
- 3.7 **European Economic Area** – includes member states of the European Union and three of the member states of the European Free Trade Association (Iceland, Liechtenstein and Norway).
- 3.8 **General Data Protection Regulation (GDPR)** – is the new data protection regulation which will come into force in May 2018. It builds upon, and strengthens, the compliance regime provided by the Data Protection Act 1998.
- 3.9 **Information Commissioner** - is the independent regulator responsible for ensuring all organisations comply with the Data Protection Act. Organisations are required to notify the ICO of how they process personal data and if they breach the Act. The Commissioner has been granted enforcement powers regarding non-compliance, these include the ability to issue information and enforcement notices, impose large fines (up to £500,000), and bring a criminal case against an organisation. Further information about data protection is available on the ICO website at www.ico.org.uk.
- 3.10 **Information Notice** – an Information Notice can be issued by the Information Commissioner which requires a data controller to provide his office with information that he requires to carry out his functions. Failure to comply with an Information Notice is a criminal offence.
- 3.11 **Information Security** – ensures that Council information is not compromised by unauthorised access, modification, disclosure or loss.
- 3.12 **Information (or data) Sharing** – ensures that Council information is shared in a compliant, controlled and transparent manner.

- 3.13 **Notification** – is the process by which organisations notify the Information Commissioner about the categories of personal information it processes and the purposes the personal information is being processed for. The Information Commissioner uses this information to maintain a Register of Data Controllers which it publishes on its website.
- 3.14 **Personal data (or information)** – is information about a living individual who can be identified from that information or from additional information held, or obtained, by the Council. Examples of personal data are contained in paper files, electronic records and visual and audio recordings.
- 3.15 **Privacy Impact Assessment** – is a risk management tool that reduces the risks of harm to individuals through the misuse of their personal information. It assists in designing appropriate processes for handling personal data. It is used when projects, or changes to service activities, or new ICT impact on the privacy of individuals
- 3.16 **Processing** – is all actions relating to personal data. Gathering, recording, analysing, amending, using, sharing, disclosing, storing and destroying personal data are all covered by this definition.
- 3.17 **Safe Harbour** – a set of security arrangements designed to ensure that personal data held outside the European Economic Area receives the same level of security as personal data held within it.
- 3.18 **Sensitive personal data** – requires a higher level of consideration. Information will be considered ‘sensitive personal data’ if it relates to a person’s: racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition, sexual life, and criminal offences or alleged criminal activity (including any criminal proceedings).
- 3.19 **Subject Access Request (SAR)** - the right granted to an individual by the Data Protection Act 1998 to request a copy of personal information held about them.

Policy content

Data Protection Principles

- 4.1 The Council needs to collect and use information about its customers to facilitate the effective delivery of services. The Data Protection Act 1998 ensures that this information is gathered, used, stored, shared, protected, retained and destroyed in a way which is fair and lawful.
- 4.2 There are eight data protection principles that govern how organisations manage personal data. They are:
- 4.2.1 Personal data shall be processed fairly and lawfully.
- 4.2.2 Personal data shall be obtained for one or more lawful purposes, and not processed in a manner incompatible with that purpose.

- 4.2.3 Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 4.2.4 Personal data shall be accurate and, where necessary, kept up to date.
- 4.2.5 Personal data processed for any other purpose or purposes shall not be kept for any longer than is necessary for that purpose or purposes.
- 4.2.6 Personal data shall be processed in accordance with the rights of the data subjects (Subject Access)
- 4.2.7 Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction, or damage to, personal data.
- 4.2.8 Personal information must not be transferred to countries outside the European Economic Area unless that country has adequate protection for the rights and freedom of individuals in respect of the use of personal information

Designing or revising processes which collect and use personal data

- 4.3 The Council regularly collects and processes personal data from individuals who receive services or have a relationship with the Council (e.g. suppliers, employees). However, the Council will only obtain, use and retain personal information that it actually needs to fulfil its business and operational requirements.
- 4.4 A Privacy Impact Assessment (PIA) will be completed when processes or services that involve personal data are designed or revised. The PIA will identify and document appropriate governance controls required to manage the privacy risks associated with the process.
- 4.5 Specifically, a PIA must be carried out by service areas when:
 - 4.5.1 Council projects or programmes are undertaken
 - 4.5.2 Service activities commence, end or are significantly adjusted; and/or
 - 4.5.3 New ICT arrangements are put in place which use and process personal data with a potential impact on the privacy of individuals
- 4.6 Completed PIAs will be registered with the Information Governance Unit.

Informing data subjects & Fair processing

- 4.7 When collecting personal data, the Council will inform data subjects about why their personal data is required and how it will be used and retained. It will also explain whether the personal data will be shared. This is called a Fair Processing Notice or Privacy Statement.
- 4.8 Appropriate fair processing information will be provided at the time personal data is collected from data subjects, or when the Council first contacts the data subject in relation to the personal data they have provided.

- 4.9 It is recognised that in order to provide customers with a better service and to fulfil the Council's statutory functions, personal data collected across Council services may be used in different ways, if its use is deemed appropriate and fair. In such cases, data subjects will be advised if their personal data is to be used in a new way.
- 4.10 Fair processing information must be approved by the Information Governance Unit and documented within the relevant PIA.

Sharing Personal Data with other organisations

- 4.11 The Council works with other organisations to provide services. The sharing of personal data between the Council and third parties is subject to formal information sharing protocols. These set out overarching common rules adopted by the Council and its partners with whom it wishes to share data.
- 4.12 Details of each data sharing process are documented in information sharing agreements. A central register of all protocols and agreements will be maintained by the Information Governance Unit to ensure that transfer and sharing arrangements meet the requirements of the Data Protection Act 1998, and the Information Commissioner's Code of Practice on Data Sharing.
- 4.13 All new data sharing protocols and agreements must be assured by the Information Council Data Sharing Sub-Group before they are signed/ used.

Disclosing Personal Data

- 4.14 There are many instances where it will be fair and reasonable to disclose personal data with (and without) the consent of the individual. All requests for personal data and disclosures must be documented.
- 4.15 Information may be shared through partnership arrangements where there is a data sharing agreement in place or where the individual has authorised disclosure through a mandate.
- 4.16 When disclosing personal data, the Council will only disclose personal data that is necessary for the stated purpose.
- 4.17 Data subjects can request access to their own personal data; this is known as a Subject Access Request (SAR). For information about SARs, and other rights of access to information, see the Information Rights Policy.

Disclosure of personal data to Elected Members.

- 4.18 Elected members may request personal data in the course of their work, for example as a committee member, or acting on behalf of a constituent. Elected Members will be given access to the personal data they need to carry out their duties, in line with the Member/Officer Protocol.

Disclosure of personal data relating to crime, or required by law

- 4.19 Section 29 of the Act allows the Council to consider disclosing personal data for the purpose of prevention and detection of crime; the apprehension or prosecution of offenders; or the assessment or collection of taxes or duties.
- 4.20 Section 35 of the Act allows the Council to disclose personal data if it is required for legal proceedings.
- 4.21 Each request is considered on a case by case basis and must be forwarded to the Information Governance Unit for processing and response.

Unauthorised Disclosure

- 4.22 Employees (and others covered by this policy) must never disclose personal data obtained in the course of their work with the Council, or access personal data without appropriate permissions. It is a criminal offence to knowingly obtain or disclose personal data without the consent of the data controller (the City of Edinburgh Council).

Training

- 4.23 All employees, contractors, consultants and volunteers need to be aware of their obligations under the Act. A variety of training methods will be employed to ensure appropriate levels of awareness, understanding and knowledge.

Security

- 4.24 The Council will ensure that appropriate controls are in place to keep personal data secure at all times. This will include ensuring appropriate 'safe harbour' arrangements are made should personal data need to be transferred outside of the European Economic Area.
- 4.25 The Council's policies on Information Security, including ICT Acceptable Use, Home Working, and the Guidance Note on Protecting Personal Data, must be followed at all times. Particular care should be given to the display and transportation of personal data to ensure that unauthorised access or disclosure is not made whether by accident or design.

Reporting and Managing Data Protection Breaches

- 4.26 A Data Protection Breach can occur through the theft or accidental loss of personal data (for example, laptops, tablets, portable devices, files containing personal data). They can also occur through the unauthorised use or accidental disclosure of personal data by employees, or deliberate attacks on Council systems.

- 4.27 All Data Protection Breaches must be reported to the Information Governance Unit in accordance with the Council's Data Protection Breach Procedure. This will allow the Council to take all the necessary steps to recover the data and limit any potential damage caused by the breach.

Data Processors

- 4.28 Contractors and consultants will carry out work and process personal data on the Council's behalf to help deliver services. In such cases, the Council is considered to be the 'data controller' responsible for that personal data, and the contractor or consultant is the 'data processor' who processes the data on behalf of the Council.
- 4.29 Such arrangements must be governed by written agreements or contracts to ensure compliance with this policy and the data protection principles, including on-going monitoring.
- 4.30 Legal services must be consulted before engaging contractors or consultants who process personal data.

Records Management

- 4.31 All personal data must be held, retained and reviewed in accordance with the Council's Records Management Policy and agreed retention schedules.

Notification

- 4.32 The Council is required to notify the Information Commissioner about the types of personal data it collects and processes. It is a criminal offence not to notify the Information Commissioner if there is a requirement to do so, or to fail to maintain an up to date notification.
- 4.33 Elected Members must also notify the Information Commissioner of any processing of personal data they carry out in relation to their constituents or surgeries.
- 4.34 The Information Governance Unit is responsible for co-ordinating the renewal of the Council's and Elected Members' notification each year.
- 4.35 All notifications are recorded on the UK Data Protection Register which is available on the Commissioner's website.

Information Asset Register

- 4.36 An Information Asset Register will be maintained by the Information Governance Unit. The register identifies personal data and sensitive personal data held by the Council, and helps to evaluate and assure compliance with the Council's

information governance policies and processes, recording and highlighting risk as appropriate.

Integrated Services under the Edinburgh Integrated Joint Board (EIJB)

- 4.37 Where personal data is processed for the purpose of delivering an integrated service under the Integration Scheme of the Edinburgh Integration Joint Board (EIJB), the Council, NHS Lothian and EIJB are all Joint Data Controllers in respect of that data processing.
- 4.38 There is a formal Memorandum of Understanding between the Council, NHS Lothian, and the Edinburgh Integrated Joint Board which sets out how our Joint Data Controller status is managed and services delivered.

Implementation

- 5.1 The Information Council will approve and monitor an annual action plan for information governance development and compliance, including data protection. The plan will outline key tasks, outcomes, accountabilities and progress.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to compliance with the Data Protection Act 1998.

Elected Members

- 6.2 Elected members are covered by the Council's notification when carrying out official duties for the Council but they are required, by law, to hold a separate notification for their constituency work. (See Notification)

Council Leadership Team

- 6.3 The Council Leadership Team has overall responsibility for information governance. This involves providing high-level support to ensure that each directorate applies relevant information governance policies and controls, including compliance with the Data Protection Act 1998. Responsibility also extends to personal data that is processed by third parties within their respective areas of responsibility.

Senior Information Risk Owner

- 6.4 The Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO). The SIRO has delegated authority through the Council Leadership

Team with specific responsibility for information risk and mitigation, ensuring that information threats and breaches are identified, assessed and effectively managed.

Information Governance Manager

6.5 The Information Governance Manager is the Deputy Senior Information Risk Owner and deputises for the SIRO as required.

Information Council

6.6 The Information Council (IC) has delegated responsibility, through the SIRO and the Council Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure compliance with the Data Protection Act 1998. This includes the review of Information Sharing Agreements and monitoring performance against statutory timescales.

Information Governance Unit

6.7 The Information Governance Unit is part of Strategy and Insight with responsibility for the day to day operation and delivery of information governance within the Council. In relation to data protection it will:

- 6.7.1 Act as the first point of contact for all data protection issues affecting the Council;
- 6.7.2 Provide guidance and advice on data protection issues for the Council directorates;
- 6.7.3 Renew and amend the Council's data protection notification to the ICO, as advised by managers;
- 6.7.4 Co-ordinate, process and respond to all subject access requests;
- 6.7.5 Oversee and quality assure all data sharing protocols and agreements between the Council and other partner agencies;
- 6.7.6 Record and maintain the Council's information risk register, including risks relating to data protection and associated information governance activities;
- 6.7.7 Create, maintain and renew training modules and toolkits as appropriate;
- 6.7.8 Provide data protection training and raise awareness through regular communications
- 6.7.9 Maintain and report on key performance indicators for information governance;
- 6.7.10 Lead and advise on compliance requirements where the processing of personal data is complex (e.g. multi-agency working);

- 6.7.11 Co-ordinate the Council's information breach procedures;
- 6.7.12 Carry out information governance assessments;
- 6.7.13 Record and maintain the Council's register of information sharing agreements; and
- 6.7.14 Record and maintain the Council's register of Privacy Impact Assessments.

Managers

- 6.8 All managers must:
 - 6.8.1 Ensure that this policy and any associated procedures governing the use of personal information (corporate and local) are in place, understood and followed by all staff within their business areas.
 - 6.8.2 Ensure that their staff have received data protection training (appropriate to their role), and maintain records as to when initial and refresher training has taken place;
 - 6.8.3 Review and revise procedures if processes governing the use of personal information are subject to change within their business areas;
 - 6.8.4 Consult the Information Governance Unit when there is a proposed change to the use of personal information, or when new projects are being considered;
 - 6.8.5 Undertake Privacy Impact Assessments in respect of new projects or new processing of personal information;
 - 6.8.6 Consult the Information Governance Unit before signing up to, or revising, and information sharing protocol or agreement;
 - 6.8.7 Report any suspected breaches of confidentiality or information loss to the Information Governance Unit and follow the breach reporting procedure;
 - 6.8.8 Identify any existing or emerging information risks relating to personal information and report to the Information Governance Unit and, if required, record on local, divisional and directorate risk registers;
 - 6.8.9 Ensure that personal data required to answer a subject access request is provided timeously to the Information Governance Unit;
 - 6.8.10 Ensure that there are appropriate procedures and measures in place to protect personal data, particularly when that information (hardcopy and electronic) is removed from Council premises;
 - 6.8.11 Undertake annual information governance self-assessments to ensure ongoing compliance with this policy and associate information governance activities;
 - 6.8.12 Provide a statement of assurance to evidence information governance compliance; and

- 6.8.13 Inform the Information Governance Unit (when requested) of activities containing personal data (paper or electronic) to facilitate the Council's notification process with the Information Commissioner.

Staff

- 6.9 All staff have responsibility for data protection and must:
- 6.9.1 Read, understand and follow this policy and any associated procedures that relate to the use and handling of personal information in the course of their work;
 - 6.9.2 Undertake data protection training (including annual refresher training) and ensure they have a clear understanding of their responsibilities in using and handling personal information;
 - 6.9.3 Identify and report any risks to personal information to their line manager
 - 6.9.4 Identify and report suspected breaches of confidentiality or compromised personal data to their line manager;
 - 6.9.5 Identify and forward any subject access requests to the Information Governance Unit to ensure that requests can be processed in accordance with statutory timescales; and
 - 6.9.6 Assist customers in understanding their information rights and the Council's responsibilities in relation to data protection.

Related documents

Policy

- 7.1 Data Quality Policy
- 7.2 ICT Acceptable Use Policy
- 7.3 Information Governance Policy
- 7.4 Information Rights Policy
- 7.5 Information Security Policy
- 7.6 Record Management Policy

Codes, Guidance, Procedures and Strategy

- 7.7 Employee Code of Conduct
- 7.8 Open Data Strategy
- 7.9 Data Breach Procedure
- 7.10 Privacy Impact Assessment guidance
- 7.11 Information sharing guidance

Legislation

7.12 [Data Protection Act, 1998](#)

Equalities impact

8.1 There is no adverse impact on any group in terms of race, religion, disability, ethnic origin, sexuality or age in relation to this policy.

Sustainability impact

9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 Failure to comply with any requirement of the Act could result in enforcement action by the ICO. The ICO has powers to impose a Civil Monetary Penalty which can result in a fine of up to £500,000 for each breach. This amount is likely to rise considerably subject to the rules set out in domestic legislation following the adoption of the General Data Protection Regulation.
- 10.2 Individuals may take action against the Council through the Court for any misuse of their personal data. Depending on which Court takes the action, fines could be unlimited.
- 10.3 Failure to renew or amend the Council's Data Protection Notification as required by the Act will result in a criminal offence.
- 10.4 Failure to respond to any of the time critical response requirements in relation to information rights for individuals will result in a breach of the Act.
- 10.5 Mishandling of personal information will have serious reputational impact to the Council.
- 10.6 Mishandling of personal information may have serious implication to one, or more, individuals.
- 10.7 Personal information that is inaccurate or out of date may result in a serious negative impact on one or more individuals.

Review

11.1 This policy will be reviewed annually or more quickly if required by significant changes in legislation, regulation or business practice. It will be reviewed by the Information Council and presented to the Council committee annually, in line with the Council's Policy Framework.

Appendix 8 – Records Management Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer Kevin Wilbraham, Information Governance Manager

Author Henry Sullivan, Information Asset Manager

Scheduled for review

Version control

Version	Date	Author	Comment
1.0	30-09-2014	Henry Sullivan	Version approved by Corporate Policy & Strategy Committee as part of Information Governance Policy Suite
1.1	18-01-2016	Henry Sullivan	Updates for ICO Audit – first draft
1.2	06-07-2016	Henry Sullivan	Updates post Transformation
1.3	25-08-2016	Henry Sullivan	Updated template and link to Data Quality
1.4	03-09-2016	Henry Sullivan	Draft version agreed with Head of Strategy (interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30/09/2014	Corporate Policy & Strategy	Information Governance Policies	Minute

Records Management Policy

Policy statement

- 1.1 Council records are sources of administrative, evidential and historical information necessary for the effective functioning and accountability of the Council. Over time they also will provide valuable evidence and understanding of the communities it serves.
- 1.2 In order for the value of Council records to be maintained and assured, they need to be managed efficiently, transparently and consistently throughout their life-cycle; from the point they are created or received, through maintenance and use, to the time they are destroyed or permanently preserved as archival records.
- 1.3 This policy sets out the Council's responsibilities and activities in regard to this records management. It governs the management of all records created or acquired on the Council's behalf in the course of Council business.
- 1.4 This policy:
 - 1.4.1 provides the baseline requirements for good records management within the Council to ensure records are created, managed and used effectively and efficiently;
 - 1.4.2 supports the Council in complying with its statutory and regulatory obligations as well as its commitments as set out in its Information Governance Policy;
 - 1.4.3 defines records management responsibilities throughout the Council;
 - 1.4.4 underpins a working culture which acknowledges the value and benefits of accurate record creation and effective management; and
 - 1.4.5 encourages a leaner Council that retains records for only as long as required for business purposes.

Scope

- 2.1 This policy applies to:
 - 2.1.1 All records which are created received and managed in the course of City of Edinburgh Council ('the Council') business ('Council records').
 - 2.1.2 All permanent and temporary Council employees, volunteers, people on work placements and elected members when acting as officers of the Council
 - 2.1.3 All third parties and contractors performing a statutory Council function or service

Definitions

- 3.1 **Archives:** are the records which are retained permanently because of their continuing business, evidential or informational value to the Council or communities it serves.
- 3.2 **Business Unit:** is a term used for teams and sections below that of the Service Area within the Council reporting structure
- 3.3 **Council Records:** are defined as;
- 3.3.1 recorded information in any format (including paper, microform, electronic and audio-visual formats); and
- 3.3.2 which are created, collected, processed, and/or used by City of Edinburgh Council employees, Elected Members when undertaking Council business, predecessor bodies (e.g. Lothian Region Council, Edinburgh District Council, Edinburgh Corporation) or contractors performing a statutory Council function or service.
- 3.3.3 and which are then kept as evidence of that business.
- 3.4 **Data:** the raw input from which information of value is derived.
- 3.5 **File Plan** is a governance tool that classifies Council records in terms of Council function and activity; it acts as the baseline to connect this policy, and its related guidance and procedures, to the business processes that create, manage, use and dispose of Council records.
- 3.6 **Format** is the medium in which records are created from; most electronic formats are capable of being edited and changed continually (e.g. MS Word), 'fixed formats' do not allow this (e.g. PDF).
- 3.7 **Information asset owners:** senior officers involved in managing a business area(s) with responsibility for the information assets within their respective business area(s).
- 3.8 The **Information asset register** is a governance tool that lists the Council's key information assets.
- 3.9 **Public Records (Scotland) Act 2011:** requires public authorities to detail their records management policies, procedures and responsibilities in a Records Management Plan, which is subject to review by the Keeper of the Records of Scotland.
- 3.10 **Records management:** are the processes and practices that ensure Council records are systematically controlled and maintained, covering the creation, storage, management, access, and disposal of records, in compliance with best practice, statutory requirements and policy obligations.
- 3.11 **Records management manual** – a document that details how records are created, maintained and disposed of within a business unit, service area, project or working group.

- 3.12 **Recordkeeping systems:** are physical filing systems or IT business systems that hold and manage Council records.
- 3.13 **Record Retention Rules:** identify when closed records or files can be disposed of and what should happen to them at that point. They can be broken down into four parts;
- 3.13.1 Activity / Record Description – provides the context on what is covered by the retention rule.
- 3.13.2 Trigger – indicates the moment that the retention period starts applying; usually around the event or date that “closes” a record.
- 3.13.3 Retention Period – how long you hold onto a record beyond the trigger point.
- 3.13.4 Disposal Action – the action required once a record has reached the end of its retention period.
- 3.14 **Vital records:** are records classified as being essential to the continuation of Council business.

Policy content

- 4.1 To ensure effective management, it is essential that the following policy requirements are understood and applied consistently by all Council employees and services.

Creation

- 4.1.1 The City of Edinburgh Council is the owner of all Council records, including those created by Elected Members, contractors or consultants.
- 4.1.2 Council records must be accurate, authoritative and comprehensive in content in order to provide reliable evidence of Council business.
- 4.1.3 Council records must be adequate for the Council business they support and based on good quality data, in accordance with the Council’s Data Quality Policy.
- 4.1.4 Council records must be titled and referenced in a manner consistent and relevant to the business activity to ensure that they can be easily retrieved, understood and managed.
- 4.1.5 Council records should be created in fixed formats where ever possible.

Storage

- 4.1.6 Council records must be adequately protected and stored securely to prevent unauthorised access.
- 4.1.7 Electronic Council records must be stored on the Council’s network in folder structures that conform to the Council’s File Plan, or in valid electronic record keeping systems.

- 4.1.8 Physical Council records no longer needed for immediate or routine use should be sent to the Council's Records Centre for storage and management.
- 4.1.9 Council records must always be retrievable for business, performance, audit and public rights of access purposes up until they are destroyed.

Management

- 4.1.10 Council records must have access controls and audit logging in place that are appropriate to the sensitivity and risk of their content.
- 4.1.11 Council records must remain accessible and usable for as long as they are required to be retained under the Council's Retention Schedule.
- 4.1.12 Council records that are vital to the continuity of Council business must be identified as Vital Records by the business units that hold them.
- 4.1.13 Council records must not be distributed or copied unnecessarily.

Disposal

- 4.1.14 No Council record may be destroyed without appropriate authorisation and due regard to both legal obligations and the Council's Retention Schedule.
- 4.1.15 All destructions of Council records must be logged by the disposing business unit. This log must be kept for no less than 20 years on a rolling basis.
- 4.1.16 Council records must be destroyed securely, in compliance with the Council procedures.

Transfer to Archive

- 4.2 Council records identified as having enduring evidential or historical value are to be transferred to the professional care of Edinburgh City Archives for permanent preservation after they have ceased to be of business use.
- 4.3 Records from the Council's predecessors (e.g. Edinburgh District Council, Edinburgh Corporation, civil parishes etc.) must also be transferred to Edinburgh City Archives.
- 4.4 Council records in the care of Edinburgh City Archives will be stored, arranged, described, indexed and made accessible in accordance with professional archival standards and recommendations.

Records Management Manuals

- 4.5 Every Council business unit will have at least one Records Management manual that documents the administrative procedures around its business activities, dictating who, when and how records are to be created, stored, managed and disposed or transferred.
- 4.6 Records management manuals must be developed locally within the Council services they cover but they should be approved by a relevant working group, or

management team as complying with Council policies, regulatory guidance and statutory requirements.

- 4.7 Managers will routinely review their records management manuals and these will also be subject to corporate assessment and audit.
- 4.8 As part of contract due diligence and monitoring, third parties and contractors may be asked to provide similar documentation for their own administrative procedures around the Council records they will create or receive and then manage.

Public Records (Scotland) Act, 2011 – Records Management Plan

- 4.9 The Council has a Records Management Plan approved by the Keeper of the Records of Scotland (see the published version on the Council's website) and commits to annually reviewing it, as per statutory requirements set out in the Public Records Scotland Act, 2011.
- 4.10 The Chief Executive of the Council is the senior officer responsible for the Plan. The Information Asset Manager is the Council officer operationally responsible for the Plan.
- 4.11 The Records Management Plan is maintained and reported on by the Council's Information Governance Unit in conjunction with other relevant officers and overseen by the Information Council.
- 4.12 An update of changes and improvements to the Council's records management arrangements under the Plan will be made annually by the Council to the Keeper of the Records of Scotland.
- 4.13 Each new Records Management Plan requested by the Keeper of the Records of Scotland will be approved by the Council Leadership Team and signed off by the Chief Executive before being submitted for the Keeper's approval.

Implementation

- 5.1 This policy will be implemented through the Information Council's annual plan.
- 5.2 The initial key measurement of success will be the development and maintenance of records management manuals across the Council but other success measurements will be;
 - 5.2.1 the ongoing management and consistent use by staff of the Council's Retention Schedule
 - 5.2.2 the development, approval and maintenance of the Council's File Plan
 - 5.2.3 the approval of the Council's Records Management Plan by the Keeper of the Public Records of Scotland

- 5.2.4 the development and roll out of records management training by the Information Governance Unit for staff
- 5.2.5 Roll out of the Council's Enterprise Content Management solution
- 5.3 The Information Governance Unit will conduct rolling and periodic reviews of records management manuals and compliance with this Policy within service areas. Results of these assessments will be provided to the relevant Directorate Records Officer and to the Information Council, when and where required.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to managing Council records.
- 6.2 The **Chief Executive** has overall executive responsibility for the Council's records policy and for supporting its application throughout the organisation. The Chief Executive is also the senior officer responsible for the management of the City of Edinburgh Council's records under section 1(2a) of the Public Records (Scotland) Act, 2011.
- 6.3 **Directors** have a general responsibility to ensure that records within their Directorate are managed according to statutory responsibilities and Council policies. They must do this by ensuring that;
 - 6.3.1 there are up to date, authorised, comprehensive and relevant record retention rules for their directorate within the Council's Retention Schedule
 - 6.3.2 records management manuals are issued and reviewed within their service areas
 - 6.3.3 they have at least one officer fulfilling the role of a Directorate Records Officer
 - 6.3.4 ensuring contracts with third parties performing a public function contain appropriate clauses on expected records management behaviour
- 6.4 The **Head of Strategy and Insight** as the **Senior Information Risk Owner** (SIRO) has the delegated responsibility to authorise, in conjunction with each Director, record retention rules that define how long records should be retained and what should happen to them subsequently. The Information Governance Manager is the Deputy SIRO and will act on the SIRO's behalf as and when required.
- 6.5 All **Managers** must;
 - 6.5.1 ensure that this policy and any associated records management procedures and guidance are understood by all staff within their business units and that these are incorporated in routine administrative practices

- 6.5.2 ensure that all administrative practices of their business units are comprehensively documented and maintained within records management manuals
- 6.5.3 ensure that records under their management are retained and disposed of according to the Council's record retention rules – irrespective of format (e.g. electronic / paper) or location (e.g. local storage or at the Records Centre)
- 6.5.4 maintain a disposal log of all Council records that have been destroyed within their business units on a rolling 20 year basis
- 6.5.5 identify those Council records that are vital to the continuation of Council business and detail them within the Council's business continuity arrangements and their own local records management manuals
- 6.5.6 consult the Information Governance Unit and their Directorate Records Officer when changes to the Council's record retention rules or File Plan are needed to be made
- 6.5.7 ensure that records sent to the Council's Records Centre are appropriately listed, with relevant record retention rules given
- 6.5.8 identify and record any existing or emerging risks around Council records on local, divisional and directorate risk registers
- 6.6 **Employees** must;
 - 6.6.1 read, understand and follow this policy and any associated records management procedures and guidance that are relevant to their work
 - 6.6.2 read, understand and follow any records management manuals that are relevant to their work
 - 6.6.3 Identify and report any risks to Council records to their line manager
- 6.7 **Elected Members** have the same responsibility to manage and dispose of records created in their role as representatives of the Council according to relevant policies and procedures.
- 6.8 **Third parties (e.g. contractors, voluntary and not for profit organisations) performing a public function for the City of Edinburgh Council** must also adhere to the requirements set out in this policy and have their own administrative practices documented and assessed in similar ways to Council business units as part of the tendering and contract monitoring processes. To do this they must allow access by relevant Council staff to any Council records they create, receive or manage, including any records keeping system they may hold them in.
- 6.9 **Directorate Records Officers** will;
 - 6.9.1 have delegated authority to take action and make decisions on records management issues within their directorate.

- 6.9.2 monitor the administrative practices and records management manuals of their directorate, as well as the record retention rules that fall within their Directorate.
- 6.9.3 monitor and authorise records management arrangements within relevant contracts of their directorate.
- 6.9.4 act as a liaison with the Information Governance Unit on records related projects and issues.
- 6.10 The **Council Information Asset Manager** is part of the **Information Governance Unit** within the Strategy and Insight division of the Chief Executive's Office. The position has responsibility for the day to day operation and delivery of the Council's Records Management Plan. In relation to records management this officer will;
 - 6.10.1 provide professional guidance, advice and support on the management of Council records for all Council directorates;
 - 6.10.2 create, maintain and renew training modules and toolkits as appropriate;
 - 6.10.3 provide assurance by review of records management manuals;
 - 6.10.4 develop and maintain the Council's File Plan;
 - 6.10.5 maintain and review the Council's Retention Schedule;
 - 6.10.6 oversee the running of the Council's Records Centre;
 - 6.10.7 support and contribute to information governance assessments around Council records.
- 6.11 **Edinburgh City Archives** is specifically designated the place of deposit for Council records required for permanent preservation, whether for business or cultural purposes. It is responsible for preserving, promoting and making accessible these records, and other historical records that may be acquired by the Council.
- 6.12 **ICT Solutions** has a role to support the assessment of existing Council recordkeeping systems against this policy as well as helping to ensure that records management requirements are properly considered as part of the ICT procurement process.

Related documents

Council Policy

- 7.1 Archives Policy
- 7.2 Data Quality Policy
- 7.3 ICT Acceptable Use Policy
- 7.4 Information Governance Policy
- 7.5 Information Rights Policy

- 7.6 Managing Personal Data Policy
- 7.7 Re-use of Public Sector Information Policy

Codes, Guidance, Procedures and Strategy

- 7.8 [Code of Practice on Records Management issued under Section 61 of the Freedom of Information \(Scotland\) Act, 2002](#)
- 7.9 Council Archives Transfer Procedure
- 7.10 Council Records Retention Procedure
- 7.11 Employee Code of Conduct
- 7.12 Open Data Strategy
- 7.13 Records Management Manual guidance and workbook

Legislation

- 7.10 [Public Records Scotland Act, 2011](#)

Standards

- 7.11 *ISO 30300 and 30301 – Management Systems for Records*; establishes a model of best practice and assessment for records management within organisations, covering; policy development, statutory and regulatory awareness, responsibilities, process design and performance measuring.
- 7.12 *ISO 15489:2001 – Information and documentation; Records management*; sets out standard terminology, concepts and requirements for records management

Equalities impact

- 8.1 There are no equalities issues arising from this policy.

Sustainability impact

- 9.1 There are no sustainability issues arising from this policy.

Risk assessment

- 10.1 Risk of reputational damage and audit complications as a result of non-compliance with the Public Records (Scotland) Act, 2011 and the Council's own Records Management Plan.
- 10.2 Risk of monetary penalties and reputational damage through limited capability to identify and address statutory non-compliance with the Data Protection Act,

1998; specifically Principles 3 (Adequate, relevant and not excessive), 4 (Accurate and maintained), 5 (Over retention) and 7 (Unauthorised access and processing).

- 10.3 Risk of civil and criminal penalties as a result of a failure to identify and address non-compliance with other legislation that have requirements around records including, but not limited to, education, employment, finance, governance, health and safety and social care.
- 10.4 Risk of civil and criminal penalties as well as reputational damage and business continuity issues through poor decision making and accountability based on inadequate and poorly managed Council records.
- 10.5 Risk of weak internal governance and audit complications through a failure to raise and maintain the awareness of Council staff of records management requirements, best practice and standards.
- 10.6 Risk of excessive physical and IT storage costs through a failure to identify and apply appropriate retention rules to Council records.
- 10.7 Risk to citizens and clients that the Council will mismanage their service provision due to inadequate and poorly managed Council records.

Review

- 11.1 In line with the Council's Policy Framework, this policy will be reviewed annually or when required by significant changes to the Council's Records Management Plan or with legislation, regulation or business practice.

Appendix 9 – Re-use of Public Sector Information Policy

Implementation date:

Control schedule

Approved by

Approval date

Senior Responsible Officer

Author

Kevin Wilbraham, Information Governance Manager

Scheduled for review

Version control

Version	Date	Author	Comment
0.1	21.08.16	Kevin Wilbraham	Policy created and first draft circulated
0.2	28-08-2016	Kevin Wilbraham	Comments incorporated
0.3	03-09-2016	Kevin Wilbraham	Draft version agreed by Head of Strategy (interim)

Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
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Re-use of Public Sector Information Policy

Policy statement

- 1.1 The Re-use of Public Sector Information Regulations 2015 (“the Regulations”) provides a legal framework to encourage the re-use of public sector information. This policy formalises and sets out the City of Edinburgh Council’s (“the Council”) approach to complying with the Regulations, and reaffirms the Council’s commitment to open data.

Scope

- 2.1 This policy applies to all information (regardless of format) produced, held or disseminated by the Council which relate to the delivery of services and provision of a statutory function. These are defined by the Council’s Public Task.
- 2.2 All Council staff, including temporary staff, contractors, consultants and volunteers that create and manage Council information are covered by this policy, including third parties that carry out a statutory function or service on behalf of the Council.

Definitions

- 3.1 **Data:** the raw input from which information is derived.
- 3.2 **Data quality:** recognition that the accuracy, coverage, timeliness and completeness of data can significantly impact on the value of its use.
- 3.3 **Data stewards** are nominated by Information Asset Owners with operational responsibility for information assets within their respective service areas. This will involve the application of information governance rules, and the up-dating of Council data and records to help ensure data integrity and quality, and the proactive identification of data sets that can be published on the Council’s Open Data Portal.
- 3.4 **Freedom of information laws:** comprises of the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004 and the INSPIRE (Scotland) Regulations 2009.
- 3.5 **Information:** is recorded in any form or format that is held by the Council, or held by a third party on the Council’s behalf.
- 3.6 **Information asset:** information that is defined and managed as a single unit so it can be understood, shared, protected and exploited effectively.
- 3.7 **Information asset register:** a governance tool that lists the Council’s key information assets.

- 3.8 **Information asset owners:** senior officers involved in managing a business area(s) with responsibility for the information assets within their respective business area(s).
- 3.9 **Machine-readable format:** a file format structured so that software applications can easily identify, recognise and extract specific data, including individual statements of fact, and their internal structure. Information is in a standard computer language (not English text) that can be read automatically by a web browser or computer system (e.g., XML or CSV).
- 3.10 **Marginal cost:** limited to the cost of collection, production, reproduction, provision and dissemination of information (which for digital or online information may be nil) for most public sector bodies.
- 3.11 **Metadata:** information that describes or defines other information, includes file descriptions, codebooks, processing details, sample designs, etc
- 3.12 **Open data:** data that is accessible (usually via the internet), in a machine readable form, free of restriction on use. It supports transparency and accountability, effective services and economic growth. Public sector information and its metadata should available in open format whenever possible.
- 3.13 **Public sector information:** information collected, held, produced, reproduced or disseminated by a public sector body while accomplishing its public task.
- 3.14 **Public task:** what a public sector body does, or produces, holds, collects or provides to fulfil its core role and functions, whether those are statutory or established through custom and practice
- 3.15 **Publication Scheme:** Details what information the Council routinely makes publicly available. A requirement under the Freedom of Information (Scotland) Act 2002,
- 3.16 **Re-use:** using information for a purpose other than the initial public task purpose for which the public sector body produced, collected, held or disseminated the information. Re-use can be for either commercial or non-commercial purposes.

Policy content

Legislative context

- 4.1 The Re-use of Public Sector Information Regulations 2015 (“the Regulations”) provides a legal framework to encourage the re-use of public sector information. It creates a right to apply to re-use information which is held by the Council.
- 4.2 Under the Regulations, re-use means using public sector information for a purpose different from the one for which it was originally produced, held or disseminated, including commercial and non-commercial purposes. This aligns with the Council’s vision for Open Data and is designed to promote economic opportunities, enhance job creation, and improve the flow of information from the public sector to the citizen.

- 4.3 The Council's Public Task determines what information produced, collected or held by the Council falls within the scope of the Regulations. The Public Task relates to a public authority's core statutory role, including functions established through custom and practice. The Council's Public Task is set out in the appendix to this policy.
- 4.4 Under the Regulations, public authorities have to produce an information asset list. This requirement is provided by the Council's Publication Scheme which details the classes of information that the Council routinely makes available.
- 4.5 The Regulations are concerned with permitting the re-use of information and how it is made available. It is not about accessing information. Access rights are covered by Scotland's freedoms of information laws which provide statutory rights of access to information held by the Council. Obtaining information in this way does not provide an applicant with an automatic right to re-use that information. An application must still be made under the Regulations.

Open Data

- 4.6 The Council's vision for Open Data is that "data will be open by default, of a high quality, timely, comprehensive and usable by all". To deliver this vision, significant amounts of Council information and data sets are already available for re-use through the Council's Open Data Portal.
- 4.7 Information already available through the Council's Open Data Portal, unless otherwise indicated, is offered under the Open Government Licence. This means that a re-use application is not required. If the information is not available through Open Data Portal but is part of the Council's Public Task, the council will consider all requests to re-use information under the Regulations.
- 4.8 All data sets released under the Regulations will be considered for open data publication with a presumption in favour of publication whenever possible.
- 4.9 Similarly, data sets released under Scotland's freedom of information laws will be considered for open data publication, subject to assessment around copyright and formatting issues.

Dealing with requests

- 4.10 When making a re-use request, applicants must:
 - 4.10.1 submit their requests in writing,
 - 4.10.2 provide their name and a correspondence address,
 - 4.10.3 specify the information they want to re-use,
 - 4.10.4 state what the purpose they intend to use it for.
- 4.11 If the information has not been previously disclosed, the request will be treated as a request for information under Scotland's freedom of information laws to determine if the information is exempt. Only when the information is provided will

it become eligible for re-use. At that point the re-use element of the request will become a valid re-use request.

- 4.12 The Council will respond to re-use requests within 20 working days. This timescale may be extended if the request involves an extensive number of documents or raises complex issues. If the timescale is extended, applicants will be informed before the 20 working day deadline why the response time has been extended, and provided with a date on which to expect a response.
- 4.13 If Council receives two requests from different applicants, it will not discriminate between them. This means that exclusivity arrangements can only be granted in exceptional circumstances and will be subject to regular review.

Formats

- 4.14 The Council will make information available for re-use in the format and language in which we hold it. The Council will endeavour, whenever possible, to make information available in a machine readable format with appropriate metadata.
- 4.15 The Council can refuse re-use requests where valid exceptions apply. These may include:
 - 4.15.1 Information for which the copyright is held by a third-party.
 - 4.15.2 Information that falls outside the scope of the Council's Public Task.
 - 4.15.3 Information that contains personal data.
 - 4.15.4 Information exempt from disclosure under information access legislation such as the Freedom of Information (Scotland) Act 2002.
- 4.16 The Regulations do not apply to third-party copyright information. Any applicant requesting re-use of such information will be directed to the copyright holder. Where the copyright is jointly held by the Council and a third party, the permission of both bodies must be agreed before re-use is permitted.
- 4.17 Where requests are refused, the applicant will be advised of the decision and their right to make a formal complaint.

Charging

- 4.18 The Council can charge marginal costs for allowing the re-use of its information. These are limited to the reproduction, provision and dissemination of documents. There are three exceptions to this:
 - 4.18.1 Where the Council is required to generate revenue to cover a substantial part of the costs relating to our public task.
 - 4.18.2 Where the Council is required to generate revenue from documents to cover a substantial part of our costs.

- 4.18.3 Where the information is held for the purposes of our libraries, museums or archives.
- 4.19 While the Council reserves the right to charge, it is committed to providing information at no cost whenever possible. Any costs levied will be based on a reasonable rate of return for the re-use of the requested information. Applicants will be made aware of any costs at the time of their application and their right to make a formal complaint.

Terms and conditions of re-using information

- 4.20 The Council is committed to being as open and non-restrictive as possible in relation to re-use requests. To achieve this Council will use the [Open Government Licence](#). This arrangement is already used as part of the Council's Open Data arrangements and allows the re-use of public sector information without charge for any purpose, commercial or otherwise, with minimal conditions.
- 4.21 Other licences may be appropriate in particular situations, including where a charge for re-use is permitted beyond the marginal cost of reproduction, provision, and dissemination of documents.
- 4.22 Applicants will be made aware of licensing arrangements at the time of their application and their right to make a formal complaint. Applicants are expected to read and understand their responsibilities in relation to any licensing arrangements.

Complaints procedure

- 4.23 Re-use complaints will be dealt with through the Council's freedom of information review procedures, and a response issued within 20 working days. This timescale may vary depending on the complexity of the matter. Complainants will be informed
- 4.24 If an applicant is not satisfied with the Council's response to their complaint, they can complain to the UK Information Commissioner. The UK Information Commissioner will confer with the Scottish Information Commissioner (as appropriate) and investigate and assess if the Council has met its obligations under the Regulations.
- 4.25 Any complaints to the UK Information Commissioner must be in writing, state the nature of the complaint, and include a copy of the Council's decision notice.

Implementation

- 5.1 This policy will be implemented and monitored through the Information Council's annual plan. The plan will outline key tasks, outcomes, accountabilities and progress.
- 5.2 Key measurements of successful implementation of this policy will be:

- 5.2.1 Meeting deadlines when responding to requests
- 5.2.2 Managing the review processes to address concerns without regulator involvement
- 5.2.3 Operating a model of continuous review and improvement when responding to requests.
- 5.3 Performance will be routinely reported to the Information Council, Council Leadership Team and other senior management teams, where appropriate
- 5.4 Council staff will be given awareness, induction and refresher training on the Regulations.

Roles and responsibilities

- 6.1 The Information Governance Policy provides a detailed explanation concerning overall roles and responsibilities around information governance. This section provides a summary of those responsibilities, but also outlines specific responsibilities in relation to compliance with the access legislation detailed in this policy.

Elected Members

- 6.2 All Elected Members will be aware of the Regulations and know to pass any re-use requests to the Information Governance Unit.

Council Leadership Team

- 6.3 The Corporate Leadership Team has overall responsibility for information governance. This involves providing high-level support to ensure that each directorate and locality applies relevant information governance policies and controls, including compliance with the Regulations.

Senior Information Risk Owner

- 6.4 The Head of Strategy and Insight is the Council's Senior Information Risk Owner (SIRO) within the Chief Executive's Office. The SIRO has delegated authority through the Corporate Leadership Team with specific responsibility for information risk. The SIRO ensures information risks are identified, assessed and effectively managed, including compliance issues concerning the Regulations.

Information Governance Manager

- 6.5 Accountability for the on-going strategic development of information governance lies with the Information Governance Manager within the Strategy & Insight service area of the Chief Executive's Office. The Information Governance Manager deputises for the SIRO as required.

Digital Innovation Manager

- 6.6 The Digital Innovation Manager is responsible for the continued development of the Council's Open Data Strategy and Open Data Portal.

Information Council

- 6.7 The Information Council (IC) has delegated responsibility, through the SIRO and the Corporate Leadership Team, for the development and delivery of effective information governance throughout the Council. In particular, the IC will provide the necessary ownership and advocacy required to support, co-ordinate, promote, monitor and assure compliance with the Regulations and the on-going development of open data within the Council.

Information Governance Unit

- 6.8 The Information Governance Unit will:
- 6.8.1 Act as the first point of contact for all re-use requests received by the Council.
 - 6.8.2 Log, process and respond to re-use requests received by the Council.
 - 6.8.3 Assess and allocate re-use requests to the relevant service to ask them to identify any relevant, recorded information that they hold which would fulfil the request.
 - 6.8.4 Liaise with services concerning exemption/ charge/ licence condition.
 - 6.8.5 Provide the final decision as to whether any exemption/ charge/ licence condition applies to the re-use request.

Information Rights Manager

- 6.9 The Information Rights Manager is responsible for:
- 6.9.1 Co-ordinating the work of the Information Rights Team, including monitoring compliance with re-use requests.
 - 6.9.2 Maintenance of the Council's Publication Scheme
 - 6.9.3 Providing guidance and training in relation to the Regulations

Review Officer

- 6.10 To ensure impartiality, reviews of decisions where the applicant is dissatisfied with how their response has been dealt with are carried out by the Council's Review Officer. The Review Officer is part of the Information Compliance Team under the Information Governance Unit.
- 6.11 The review officer also acts as the liaison link with external regulators and provides submissions in relation to any appeals made by applicants.

Managers and supervisors

- 6.12 All managers and supervisors have a responsibility for enabling effective information governance within their respective service areas and teams. In relation to this policy this includes:
 - 6.12.1 Providing local and effective arrangements to ensure the timely return of relevant information to the Information Governance Unit to fulfil re-use requests.
 - 6.12.2 Pro-actively identifying data sets that can be published on the Council's Open Data Portal.
 - 6.12.3 Ensuring that staff have received information governance training and are aware of their role and responsibilities in relation to identifying and processing re-use requests, including assisting applicants when required.

Staff

- 6.13 All Council staff must be able to:
 - 6.13.1 Identify any request that falls under the Regulations.
 - 6.13.2 Provide advice and assistance to persons making re-use requests.
 - 6.13.3 Know to pass any re-use requests onto the Information Governance Unit.
- 6.14 As part of their role and remit, individuals may also be nominated as Data Stewards with operational responsibility for data quality and the proactive identification of data sets that can be published on the Council's Open Data Portal.

Related documents

Council Policy

- 7.1 Archives Policy
- 7.2 Data Quality Policy
- 7.3 Information Governance Policy
- 7.4 Information Rights Policy
- 7.5 Information Security Policy
- 7.6 Managing Personal Data Policy
- 7.7 Records Management Policy

Codes, Guidance, Procedures and Strategy

- 7.8 Employee Code of Conduct

7.9 Open Data Strategy

Legislation

7.10 [Re-use of Public Sector Information Regulations, 2015](#)

Equalities impact

8.1 There are no equalities issues arising from this policy.

Sustainability impact

9.1 There are no sustainability issues arising from this policy.

Risk assessment

10.1 The risks of not implementing this policy include reputational damage to the Council, non-compliance with legislation and potential litigation.

Review

11.1 This policy will be reviewed annually or more frequently if required by significant changes in legislation, regulation or business practice. It will be reviewed by the Information Council and presented to Council committee annually, in line with the Council's Policy Framework.

Appendix 9b – City of Edinburgh Council

Statement of Public Task

Statement

This statement sets out the functions carried out by the City of Edinburgh Council that are within our public task under the Re-use of Public Sector Information Regulations 2015 (the Regulations). Re-Use means the use of public sector information for a purpose other than the initial purpose for which it was produced, held, collected or disseminated.

The City of Edinburgh Council's powers are conferred by statute and include:

- **Mandatory powers** – such as providing schooling and social work services
- **Permissive powers** – such as economic development and recreation services
- **Regulatory powers** – such as planning control, trading standards, environmental health and the issue of licences for taxi's and public houses

The City of Edinburgh Council is responsible for the provision of a range of public services within the Edinburgh area. The main services the Council provides, in addition to its regulatory and licensing functions, are:

- Arts
- Culture
- Economic Development
- Education
- Environmental Protection
- Housing and the Build Environment
- Sport
- Libraries
- Parks
- Roads and Transport
- Social Work
- Waste Management

In addition, The Local Government Scotland Act 2003 gives a statutory basis for partnership working between all agencies (such as health boards, benefits agencies, further and higher education institutions) responsible for public service delivery in an area. This partnership approach is called Community Planning. The Council is responsible for initiating, facilitating and maintaining Community Planning within the Edinburgh area.

Information which the Council produces in the delivery of these public tasks is generally available for re-use under the Regulations. However:

- the Regulations do not apply to information that would be exempt from disclosure under information access legislation, e.g., the Data Protection Act 1998, the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004;

- the Regulations do not apply to documents held by schools; and
- the Regulations do not apply to a document where a third party owns certain intellectual property rights in the document.

Details of information that we have already published for re-use can be found on the open data pages of our website and in the Council's Publication Scheme.

Review of public task statement

This statement is regularly reviewed and is due to be considered again in April 2017.

Request for re-use of information

If you wish to apply for access to our information under the Re-use of Public Sector Information Regulations please email the Council's Information Governance Unit at foi@edinburgh.gov.uk, or write to them at:

Information Governance Unit
City of Edinburgh Council
Business Centre 2:1
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Queries and complaints

If you have any queries on this public task statement, you can submit them to this email address (add relevant email address in here). If you have a complaint about the City of Edinburgh Council under the Re-use Regulations, you can contact us at legalfoi@edinburgh.gov.uk.

If you remain unhappy with our response, you can make an appeal to the Office of the UK Information Commissioner online at: <https://ico.org.uk/concerns/getting>, or by post to the address below:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Alternatively, you can contact the UK Information Commissioner's office via telephone on 0303 123 1113.

Corporate Policy and Strategy Committee

10am, Tuesday, 4 October 2016

Business Case for the Management Transfer of Secondary School Sport Facilities to Edinburgh Leisure - Progress Report

Item number	7.2
Report number	
Executive/routine	
Wards	City wide

Executive Summary

This report provides an update on progress in relation to the recommendations contained in the committee report, 'Business Case for the Management Transfer of Secondary School Sport Facilities to Edinburgh Leisure' presented on 14 June 2016 to Corporate Policy and Strategy Committee.

Since June 2016 several meetings (in excess of 30) between Council officers and Edinburgh Leisure (EL) executives have been undertaken to take forward the transfer to EL of secondary schools sports facility management outwith core school hours. A steering group of senior Council Officers and EL's Chief Executive oversees progress of the project.

Consistent with the 14 June Committee's decision, work undertaken has initially focussed on the management transfer of school sports facilities in James Gillespie's High School (JGHS) in September 2016. This will be followed by Portobello High School in October 2016 and Boroughmuir High School by early 2017. By September 2017 EL will have management responsibility for sports facilities in all 23 of the Council's secondary schools.

Links

Coalition Pledges	P24 , P42 , P43
Council Priorities	CP2
Single Outcome Agreement	S02

Business case for the Management Transfer of Secondary School Sports Facilities to Edinburgh Leisure - Progress Report

1. Recommendations

Committee is asked to:

- 1.1 Note the progress made in the transfer of management arrangements of the sports facilities in JGHS to EL which goes live on 26 September 2016.
- 1.2 Note that Council priorities continue to be included as part of the conditions of transfer including:
 - 1.2.1 Flexibility within the revised arrangements where school requirements for the use of these facilities are prioritised and continue to be met, up to and in some instances, beyond 6pm from Monday to Friday and at weekends.
 - 1.2.2 Maintaining and supporting the development of a range of Active Schools programmes and activities.
 - 1.2.3 The development of a new school based Community Sports hub in JGHS and delivery of the Council's commitment to maintaining a mixed economy of sporting provision, including swimming lessons.
- 1.3 Note the development of a Memorandum of Understanding (MoU) that details all operational and financial requirements that enables EL to operate sports facilities in JGHS. The MoU will also inform future developments across the full secondary school estate and inform the final agreement that pertains to this project. Key elements contained within the MoU include:
 - 1.3.1 EL meet all requirements to operate Council facilities including holding required levels of public liability insurance as informed by Council insurers.
 - 1.3.2 Duration of the arrangement will be for six years with a six month termination clause available to either side.
 - 1.3.3 Any surplus income after operating costs for EL, any additional costs to the Council, core Council income budgets, and approved savings have been met will be reinvested in school sports facilities.
 - 1.3.4 The Council will support the arrangements through the continued provision of janitorial and cleaning cover in JGHS until the organisational review of Corporate Facilities Management is completed.

- 1.4 In addition to the above it should be noted that the management companies who operate the PPP schools have given an 'in principle' agreement for EL to operate within these schools.

2. Background

Issues arising from implementation

- 2.1 In addition to the progress detailed above, development of the revised arrangements in JGHS resulted in a range of issues that have, or will have, an impact upon their implementation. Where possible, solutions have been found. Issues included:
 - 2.1.1 The school was not built as a sports centre this resulted in the need to develop a sports facility reception area for customers outwith the school day.
 - 2.1.2 After the transfer, EL will be able to take online bookings for school sports facilities and will work with the school to identify a solution to reduce the volume of manual bookings.
 - 2.1.3 Lack of I.T. provision in the sports facilities to support 'walk in' bookings and receipt of cash payments. In the interim EL have agreed to use a wireless connection to support these tasks
 - 2.1.4 Potential requirement for air conditioning to be installed in the fitness suite - demand will determine whether this is required.
 - 2.1.5 Planning restrictions on use of floodlighting in a residential area restricts use of the synthetic pitch in the evening. This will have an impact upon income generation.
 - 2.1.6 Existing janitorial arrangements have been revised to support EL's arrangements to maximise use of facilities. This will however incur additional overtime costs to the Council.
- 2.2 The initial target date for EL assuming responsibility for JGHS sports facilities of August 2016 has been exceeded with the revised target date now being 26 September 2016. The main reasons for the delay included:
 - 2.2.1 Ongoing negotiations between EL board and the Council in respect of the MoU. This has now been agreed.
 - 2.2.2 EL were required to revise their insurance arrangements to meet Council requirements as detailed in MoU. This has now been addressed.
 - 2.2.3 Clarification of VAT implications and subsequent costs arising is being sought as this will result where EL are operating facilities on behalf of the Council.

- 2.2.4 Further clarification of potential TUPE arrangements for staff employed by EL to manage and operate school sports facilities is required in the event of termination of the arrangement.
- 2.2.5 Financial projections: All additional costs incurred from implementing the new arrangements will be funded from income received. Considerable work has been undertaken to capture all potential costs that concur with the original EL business case that no additional income or contribution to the agreed identified savings target of £500k will be realised until year three of operation. Further unknown costs may also arise only when operations commence.
- 2.2.6 It should be noted that the Council has implemented an interim staffing arrangement that ensures community access to new facilities is supported until the transfer on 26 September 2016.

3. Main report

Opportunities and impact arising from working together

- 3.1 The timescale set to achieve the implementation of the new arrangements in JGHS has resulted in a range of challenges and difficulties. However, the positive approach taken by both the Council and EL working in partnership has overcome many of these and this will continue to underpin future developments.
- 3.2 School offices will no longer need to take bookings and collect monies for use of sports facilities.
- 3.3 EL have utilised their expertise to source and provide fitness equipment for JGHS thereby saving the Council additional expenditure.
- 3.4 EL and the Council have worked together in the development of a new community sports hub for local sports clubs in JGHS. This will increase opportunities to participate and progress in a range of sports for local children, young people and adults.

Next Steps

- 3.5 Implementation of the transfer of secondary school sports facilities in the initial three high schools will be achieved by early 2017. Sports facilities in the remaining 19 secondary schools will have transferred to EL by September 2017. (EL currently operate the sports facilities in Queensferry High School, the new Queensferry High School will be incorporated into this project upon completion)
- 3.6 It is intended to synchronise the transfer of the remaining Council run schools with the completion of the facilities condition surveys which will be undertaken by the Council's Asset Management team commencing January 2017.
- 3.7 As part of the ongoing implementation there have been some key risks identified that require to be addressed and consolidated including:

- 3.7.1 Revised EL arrangements may require revising current PPP contract arrangements and incur substantial additional cost. The management and operational support from PPP providers is critical to the success of the Council's desire to increase access to school support facilities. Formal engagement with the Edinburgh Schools Partnership and Axiom Education Ltd. who manage the schools within the PPP school estate requires to be initiated at the earliest opportunity.
- 3.7.2 Costs to the Council will be incurred from: opening schools when they are not currently open e.g. on public holidays, cost of additional wear and tear from increased usage and additional utilities costs from extended openings.
- 3.7.3 The reduction in resourcing for and the organisational review of Corporate Facilities Management may impact upon availability of janitorial and cleaning staff to support the revised arrangements.
- 3.7.4 All costs incurred by the Council that will incur as a result of implementation of the new arrangements require to be met from income generated prior to any allocation toward the achievement of the £500k saving target. How achievement of the savings target can be accelerated still requires to be identified by Council officers and EL staff.
- 3.7.5 Due diligence continues to be undertaken systematically by the Council ensuring all risks and benefits arising from the transfer have been fully assessed and where possible are managed. This process will be completed by 31 March 2017. Any unmitigated risks identified will be reported to the Council Leadership Team and the Council at the earliest opportunity.

Governance and Management

- 3.8 A steering group established from the membership of the Joint Implementation Group is the body responsible for identifying and ensuring all tasks required to ensure the successful transfer to EL of secondary school sports facilities are taken forward. Regular update reports are provided to both the Corporate Leadership Team and EL board. Progress reports will also be provided to the Council's Corporate Policy and Strategy Committee and Education Children and Families Committee as requested by elected members.

4. Measures of success

- 4.1 By early 2017 EL will be managing sports facilities in three new Council secondary schools outwith core school hours.
- 4.2 By September 2017 all secondary school sports facilities will have transferred to EL.
- 4.3 A mixed economy of sports provision will continue to be available to residents of Edinburgh in secondary schools.

- 4.4 All additional costs to the Council will have been identified and will be met from income generated from the new arrangements.
- 4.5 The Council's savings target of £500k will have been realised from the successful implementation of the new arrangements by year three of operation. This figure will be kept under review by both parties as the project is implemented.
- 4.6 Data collected will show high levels of customer satisfaction and high levels of participation by a range of groups and individuals. Income generated will compare favourably to current levels of income for use of sports facilities in other secondary schools e.g. Forrester/St. Augustine's High Schools.

5. Financial impact

- 5.1 The original business case indicated that delivery of £500k approved savings (effective from 2016/17) would not begin to be delivered until year three (2018/19) of a six year operational plan. The Joint Implementation Group is seeking to identify where savings can be accelerated. This could include operational changes to the existing management model, ahead of full handover to EL. The outcome of these considerations will be reported in due course as part of the Council revenue monitoring arrangements and Transformation programme.

6. Risk, policy, compliance and governance impact

- 6.1 The transfer to EL of the management of community access to school sports facilities which, while not without risk, does support the Council's existing policies on improving health and well-being through greater participation in physical activity and sport, in line with national priorities and policies.
- 6.2 Any delay to the planned opening of the new schools would have a negative impact on the benefits of the transfer.
- 6.3 The Council has taken comprehensive advice on the legal and procurement aspects of the transfer to ensure legislative compliance

7. Equalities impact

- 7.1 These arrangements will widen access to all of the Council's sport facilities, and the development of an equalities and rights impact assessment is being progressed with all parties.

8. Sustainability impact

- 8.1 Carbon, climate change adaptation and sustainable development impacts assessments have enabled consideration of the public body duties under the Climate Change (Scotland) Act 2009. The findings of these assessments will also help to achieve a sustainable Edinburgh with regard to progressing climate change, social justice and community wellbeing objectives.

9. Consultation and engagement

- 9.1 Engagement that has taken place to date includes: Clubsport Edinburgh survey and engagement with a range of sports clubs throughout the city who utilise EL and Council school sport facilities. Further engagement has also commenced with Headteachers, staff in scope of the revised arrangements, **Sportscotland** and Trade Unions. As the transfer progresses, engagement will continue with a range of Council staff and other stakeholders who utilise secondary school sports facilities.

10. Background reading/external references

[Corporate Policy and Strategy Committee Report 14 June 2016](#)

[Corporate Policy and Strategy Committee Report 17 May 2016](#)

[Corporate Policy and Strategy Committee Report 29 September 2015](#)

[Culture and Sport Committee Report 11 March 2014](#)

[Scottish Government; Active Scotland Outcomes Framework](#)

Alistair Gaw

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11. Links

Coalition Pledges	P24 Maintain and enhance support for our world famous festivals and events; P42 Continue to support and invest in our sporting infrastructure; P43 Invest in healthy living and fitness advice for those most in need.
Council Priorities	CP2 Improved health and wellbeing: reduced inequalities
Single Outcome Agreement	SO2 Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
Appendices	None.

Corporate Policy and Strategy Committee

10.00am, Tuesday 4 October 2016

EU Referendum Result – Managing Impacts in Edinburgh

Item number	7.3
Report number	Executive
Executive/routine	
Wards	All

Executive summary

This report provides an initial high level assessment of areas of impact and implications for the Council and the city arising from the result of the EU referendum. The report recommends the establishment of a Member Officer Working Group to guide and inform Council and partner responses.

Links

Coalition pledges	All
Council outcomes	All
Single Outcome Agreement	All

EU Referendum Result – Managing Impacts in Edinburgh

Recommendations

Committee is asked to:

- 1.1 agree the establishment of a Member Officer Working Group to guide and inform Council and partner responses to impacts arising from the EU referendum.
- 1.2 agree the proposed political composition and remit of the Working Group as set out in paragraphs 3.2 to 3.7 of this report.

Background

- 2.1 On 23 June 2016, the United Kingdom voted in a referendum on whether it should remain or leave the European Union (EU). The result of the referendum showed a decision in favour of the UK leaving the EU, with a total won with over 17.4 million votes cast in favour of Leave, against over 16.1 million votes for Remain.
- 2.2 At this early stage, mapping and understanding the full range of implications for the city, the council and its services is a complex task. As an initial overview, however, it is useful to consider impacts across five themes:
 - **Customers** – impact of the result on Edinburgh residents and Council customers, particularly those vulnerable households and communities.
 - **Staff** – impact of the result and related uncertainty on the Council workforce, as well as those of partners and key suppliers/contractors.
 - **Council projects and services** – impact of uncertainty associated with the result on planned Council projects and service delivery, including infrastructure and other investment programmes, EU funded projects or networks, as well as potential changes to the regulatory frameworks within which services are delivered.
 - **Finances** - implications of the result for Council budget and finances, including effects of currency fluctuations, potential increases in inflation assumptions, interest rate changes, as well as likely impacts on Scottish Government decisions on Local Government finance settlements.
 - **City** – wider impacts and exposures associated with the result for the city as a whole. Including impacts on Foreign Direct Investment flows, infrastructure investment, business growth and performance, impacts on higher education sector, impacts on tourism and festivals sectors, impacts on labour supply across all sectors.

Main report

- 3.1 The analysis below elaborates briefly on each of these impact areas cited above. Further analysis is provided in Appendix 1 to this report, which offers a brief profile of EU nationals resident in Edinburgh.
-

Citizens

- Edinburgh is home to up to 32,000 EU national residents. This is the largest concentration of EU nationals in Scotland and represents a significant and sizeable group of Council service customers across all service areas including Housing, Employability, Schools, Children's Services, Health and Social Care and Public Protection.
- Data is currently being collated to estimate the number of EU national customers directly affected by the referendum result in each area. Initial estimates suggest that the city's EU national population includes up to 1,500 Council Tenants, 500 pre-school children, 2,000 school age children and some 200 adults aged over 85. Further profiling of this population is provided in Appendix 1 to this briefing.
- Citizens within this group are currently experiencing considerable uncertainty and anxiety concerning their immigration status, particularly in the absence of Government guarantees related to such residents' right to remain.
- At the same time, reports of post-referendum increases in hate crimes have been recorded in many UK cities, further increasing anxiety among this group (though it should be noted that data for Edinburgh remains steady year on year and shows no evidence of a post-referendum effect).
- Across many service areas, levels of uncertainty raises the risk of disruption in schools between peer groups, and straining of community relations

Staff

- EU nationals account for a sizeable share of the workforce both for the Council as well as Partners or suppliers/contractors, particularly in key service areas such as health and social care.
- As with citizen groups, staff in this population face experience considerable uncertainty as to immigration status and leave to remain in the UK, as well as experiencing increased risk of or fear of exposure to hate crime or discrimination.
- In the longer term, some estimates suggest that the impact of the referendum result on migration patterns could lead to a 2.5% reduction in the total UK workforce over the next five years, with considerable potential impacts on key areas of current skill shortages.

Council projects and services

- The EU referendum result introduces a number of areas of uncertainty for the planning and delivery of a number of Council services and projects.
- **EU Funded projects.** The UK's decision to leave the EU will have a direct impact as EU funding streams are suspended or cancelled. At present the Council receives budget allocations from ERDF and ESF for two Economic Development projects and would be expecting to receive confirmation of the phase 2 funds in 2017/2018, though this may change depending on the terms of the exit. Beyond these projects, the majority of EU Programmes run from 2014 – 2020. At present these funds are still available for application, though again this is likely to change.
- **Regulatory frameworks.** Exit from the EU raises the potential for changes in the regulatory framework within which Council services are provided, including employment and procurement legislation, as well as regulations specific to individual service areas.
- **Elections.** EU referendum results have raised the potential for a second Scottish Independence referendum with the First Minister reiterating recently that legislation is already being prepared to enable delivery within a given timescale should it prove necessary.

Council finances

- EU referendum results introduce a new range of uncertainties into planning of Council finances. Such changes are expected to result in changes to local government settlements, alongside probable increases in inflation assumptions, changes in Bank of England interest rates, as well as uncertainty over potential income sources such as EU funding and city deal investment as highlighted above.
- While economic indicators in the immediate post referendum period remain mixed, potential for an economic slowdown in the period pre and post exit from the EU may also result in an increased demand for Council services alongside lower than expected financial settlements.

City

- Beyond direct impacts on Council staff, budgets and services, the implications of the referendum raise a number of concerns across the city as a whole and, as such, the context within which Council and partner services operate.

- **Foreign Direct Investment.** Edinburgh is the largest single recipient of FDI flows in Scotland, accounting for over a quarter of all investment projects in 2015, representing the creation of over 1,200 new jobs each year. Uncertainty over access to EU markets raises considerable risks for the city's ability to maintain this performance.

- **Impact on businesses.** Most forecasters continue to predict significant downturn in business activity over the short and medium term as a result of the referendum result and its impacts. Impacts include an expected drop in foreign trade levels, increased wage costs, increased inflation, increased cost of imports, alongside significant drop in domestic demand for goods and services. Such trends would significantly limit Edinburgh businesses ability to expand and invest and continue to create jobs.

- **Labour market.** As well as Council and partners, many key sectors in the city rely upon labour of EU nationals. Uncertainties over the available and cost of such labour raises significant risks for growth and investment in sectors such as hospitality, culture, health and social care amongst other areas.

- **Universities.** Edinburgh is home to an exceptionally strong higher education sector and is a magnet for EU funding as well as EU migrant students. Over the past five years Edinburgh universities have received an estimated £256m of EU Research funding, higher than any other UK city outside London and Oxbridge.

- 3.2 In response to these pressures and concerns raised across a number of service areas, it is proposed to establish a Working Group comprising elected members, officers and representatives from community planning partner organisations to lead and support the identification, planning and co-ordination of Council responses to the risks and uncertainties arising from the referendum result.
- 3.3 It is proposed that the Group will comprise the Convener and Vice-Convener of the Corporate Policy and Strategy Committee, 1 Labour member, 1 SNP member, 1 Conservative member, 1 Green member and 1 SLD member. The Vice-Convener will be the Chair of the Working Group.
- 3.4 The lead officer for the Working Group will be the Interim Head of Strategy and Insight. Representatives from the Citizens Advice Bureau have been invited to sit on the Working Group. Representatives from other partner organisations (to be determined by the Interim Head of Strategy and Insight in consultation with the Convener and Vice-Convener) will be invited as appropriate.
- 3.5 The Working Group will meet initially on a six weekly basis and will operate until the end of the current administration period (May 2017) with the potential for continuation beyond that date pending review.
- 3.6 The Working Group will develop a work programme with outcomes to be reported to the Corporate Policy and Strategy Committee as required.

3.7 The following remit for the Working Group is proposed:

- To consider the impact of the result on Edinburgh residents and Council customers particularly vulnerable households and communities.
- To consider the impact of the result and related uncertainty on the Council workforce, Council partners and key suppliers/contractors.
- To consider the impact of the result on planned Council projects and service delivery.
- To consider the impact of the result on Council budgets and finances.
- To receive reports and updates from the Community Forum established by the Communities and Neighbourhoods Committee at their meeting on 27 September 2016.

Measures of success

4.1 On establishment, the Member Officer Working Group will develop parameters for measuring success, built around an outcome based performance framework.

Financial impact

5.1 A key element of the proposed group will be leading and supporting actions to minimise and mitigate any financial impacts arising from the EU referendum result.

Risk, policy, compliance and governance impact

6.1 Key risks identified by the proposed working group will feature as part of the Council's corporate risk register, and the Edinburgh Partnership Board's risk register.

Equalities impact

7.1 Recommendations outlined in this will enable the Council to better meet its public sector equality duty under the Equality Act 2010, by commitments to engage and empower communities of interest and place adversely affected by the EU referendum result.

Sustainability impact

8.1 If approved, proposals outlined here will contribute to the delivery of Sustainable Edinburgh 2020 social and economic objectives.

Consultation and engagement

9.1 If approved, consultation and engagement activity will be undertaken to identify and work with groups adversely affected by the EU referendum result.

Background reading / external references

None.

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Links

Coalition pledges	All
Council outcomes	All
Community Plan	All
Appendices	Appendix 1 – Non-UK EU Nationals living in Edinburgh

Appendix 1: Non-UK EU Nationals Living in Edinburgh

Executive summary

This paper provides a profile summary of non-UK born EU nationals living in Edinburgh and how this group compares to the rest of Edinburgh.

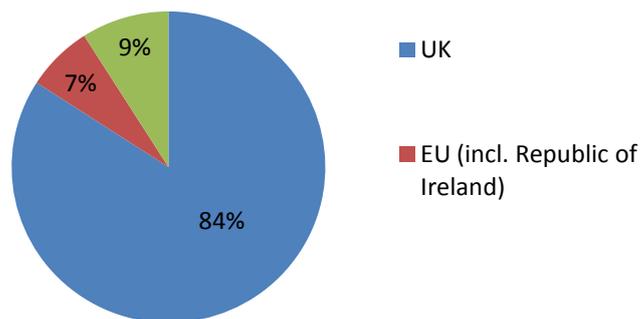
It is difficult to be precise about the numbers of non-UK EU nationals living in Edinburgh. For this purpose country of birth has been used as a proxy for nationality, with data drawn from Scotland's Census 2011. This approach is in line with estimates published by the Scottish Government and Scottish Parliament in recent months but does carry two important caveats. Firstly, latest data relates to 2011 and does not include significant in-flows of EU migrants recorded over the past five years. Secondly, a proportion of residents born overseas may have applied for British citizenship during their stay in the UK. Despite these caveats it is considered that the data here represent the best available overall estimate of the total population of EU nationals in Edinburgh.

The key points emerging from the analysis include:

- As at the 2011 Census there were up to 32,658 people living in Edinburgh who were born in non-UK European Union (EU) countries.
- Edinburgh has the highest proportion of EU nationals than any other city in Scotland (accounting for over 20% of the total Scotland population).
- The majority of EU nationals are resident around the City Centre, Leith and Gorgie areas within the city. There also appear to be pockets in all four locality areas including: around university accommodation locations, likely to be students, and concentrations of deprivation.
- 89% of EU nationals living in Edinburgh are of working age (16-64). This is significantly higher than the rest of Edinburgh (69%).
- There are a relatively small number of EU nationals living in Edinburgh who are in the older people age group (65+) (1,589 (5%)) compared to the rest of Edinburgh (66,898 (15%)).
- There are 2,359 (7%) EU nationals living in Edinburgh who are in school or pre-school age groups (0-17).
- EU nationals living in Edinburgh record a higher economic activity rate (72%) than the rest of Edinburgh (63%). Only 5% are classed as “economically active: unemployed” for both groups.
- 67% EU nationals living in Edinburgh were in employment at the time of the 2011 Census, a rate higher than the average across the rest of the Edinburgh population.
- Only 13% (4,339) of EU nationals had one or more Long Term Health Condition (LTC) at the 2011 Census. This is compared to 28% (122,759) for the rest of Edinburgh.

Edinburgh's population at the last Census (2011) was 476,626. There were 400,928 people living in Edinburgh who were born within the UK, 32,658 who were born in non-UK European Union (EU) countries and 43,040 who were born in other countries across the world. It is important to note that figures are likely to have increased somewhat since 2011.

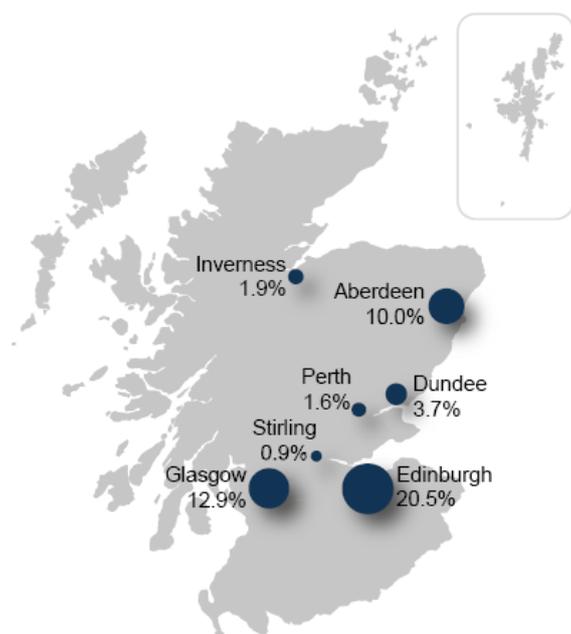
Fig 1: Breakdown of Edinburgh population by country of birth



Source: Scotland's Census 2011

The majority of non-UK EU born nationals are living in Scotland's biggest cities with the highest proportion living in Edinburgh at 20.5%.

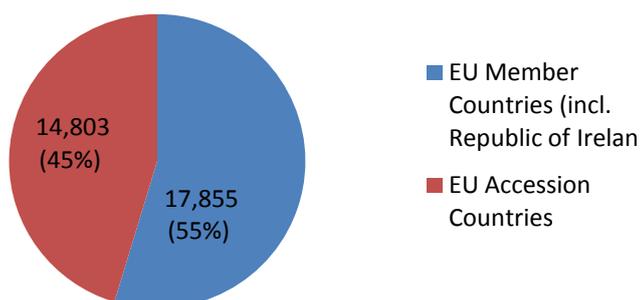
Fig 2: Distribution of non-UK EU nationals living in Scotland cities



Source: Scotland's Census 2011 (The Scottish Parliament, 2014, p.29)

Of the non-UK EU nationals living in Edinburgh, 14,803 (45%) people were born in EU 'Accession countries'. These countries include the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovenia and Slovakia (see Fig 2).

Fig 3: Breakdown of non-UK EU nationals in Edinburgh by EU membership



Source: Scotland's Census 2011

Location in Edinburgh

Fig 4 (on the next page) maps the distribution of non-UK EU nationals living in Edinburgh. This highlights that the majority of non-UK EU nationals are centred around the City Centre, Leith and Gorgie.

There also appear to be pockets of non-UK EU nationals living in/around:

- All four locality areas.
- University accommodation, which are likely to be students, e.g. Pollock Halls.
- Deprivation hot spots, including Forth, Leith, Craigmillar, Sighthill/Westerhailes, and Liberton.

Fig 4: Distribution of Non-UK EU nationals living in Edinburgh



Map shows % of All people.
Census data (c) Crown Copyright National Records of Scotland.
Contains Ordnance Survey data (c) Crown copyright & database right 2014-5.

DataShine Scotland is supported by the National Records of Scotland.
Visit <http://scotland.datashine.org.uk/> for an interactive version.

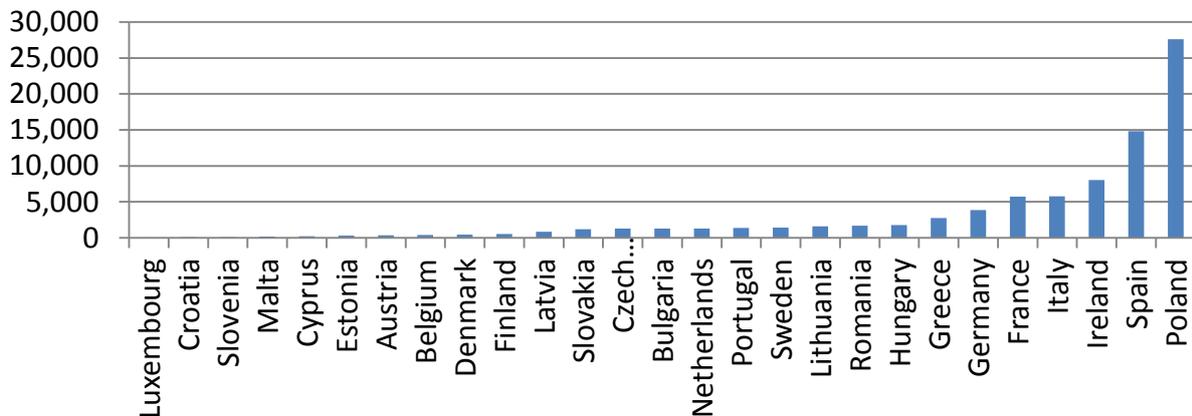
Note: LQ is the Location Quotient. It shows how far from the national average (LQ=1) the measure is. Percentages are averages across local population and not reflective of individual buildings. Source: <http://scotland.datashine.org.uk>

National Insurance Registrations

Over 2002 to 2015 there were a total of 84,820 NI registrations recorded in Edinburgh for people who were born in non-UK EU countries. This data only provides an indication of the inward flow of migrants rather than the net migration, but it can be used to provide useful information on the country of origin of recent migrant populations.

The data highlights that highest proportion of registrations from non-UK EU nationals were born in Poland (over 30%) followed by those born in Spain (over 17%).

Fig 5: Number of National Insurance Registrations from non-UK EU countries (2002-2015)

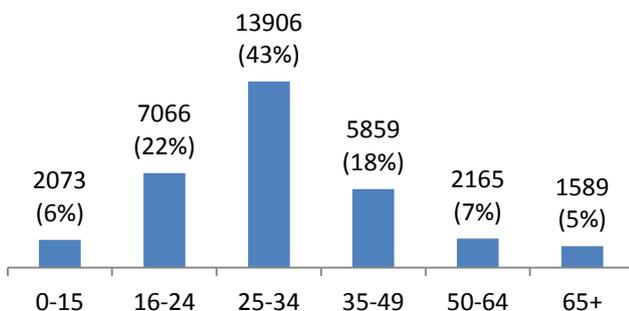


Source: Department of Work and Pensions (2015)

Age Profile

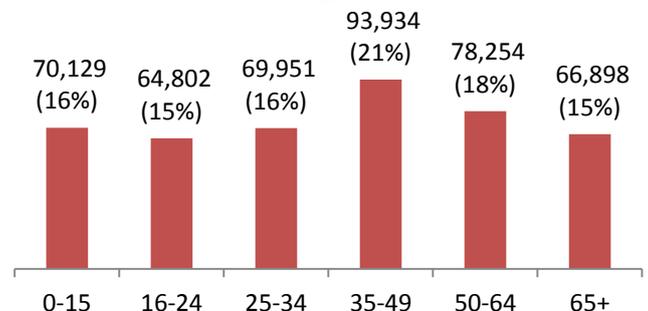
At the 2011 Census, 89% of non-UK EU nationals living in Edinburgh were of working age (16-64). This was quite different in comparison to the rest of Edinburgh which was lower at 69%

Fig 6: Age breakdown of non-UK EU nationals in Edinburgh



Source: Scotland's Census 2011

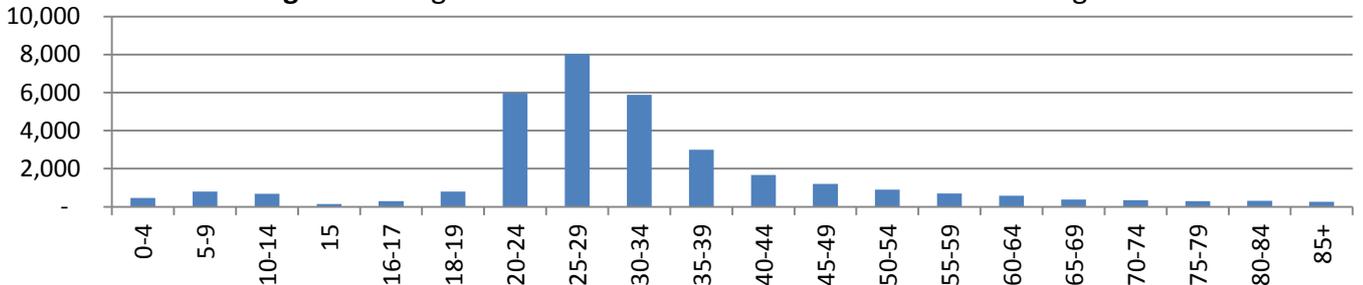
Fig 7: Age breakdown of rest of Edinburgh



Source: Scotland's Census 2011

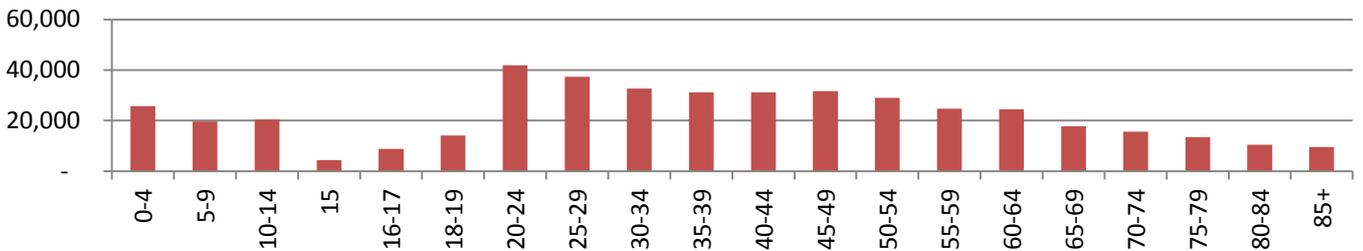
When split into smaller age groups, there were only 265 (1%) non-UK EU nationals living in Edinburgh aged 85 and over compared to 9,613 (2%) in the rest of Edinburgh. Also, there were 2,359 (7%) non-UK EU nationals living in Edinburgh who were of school age (0-17) compared to 18% for the rest of Edinburgh.

Fig 8: Small age breakdown of non-UK EU nationals in Edinburgh



Source: Scotland's Census 2011

Fig 9: Small age breakdown of rest of Edinburgh

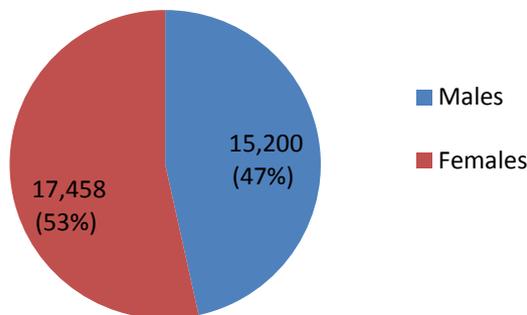


Source: Scotland's Census 2011

Note: Excl. EU born nationals living in Edinburgh

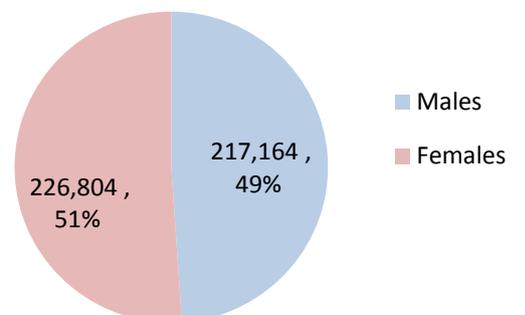
There was a slightly higher proportion of female non-UK EU nationals living in Edinburgh (53%) than males (47%). This was similar to the rest of Edinburgh as displayed in Fig 10 and 11.

Fig 10: Breakdown of non-UK EU nationals in Edinburgh by gender



Source: Scotland's Census 2011

Fig 11: Breakdown of rest of Edinburgh by gender

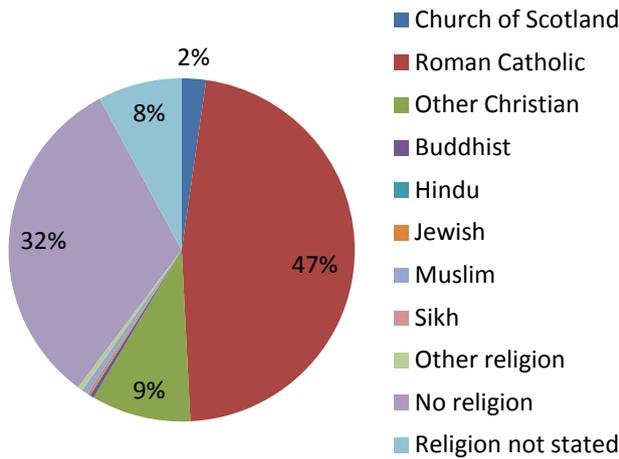


Source: Scotland's Census 2011

Religion

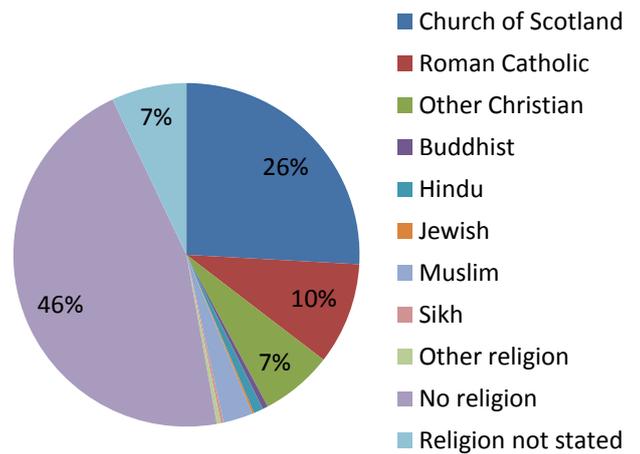
The highest proportion of non-UK EU nationals living in Edinburgh were Roman Catholic (47%). In contrast, the highest proportion of the rest of Edinburgh followed no religion (46%). This was followed by the Church of Scotland (26%).

Fig 12: Breakdown of non-UK EU nationals in Edinburgh by religion



Source: Scotland's Census 2011

Fig 13: Breakdown of rest of Edinburgh by religion

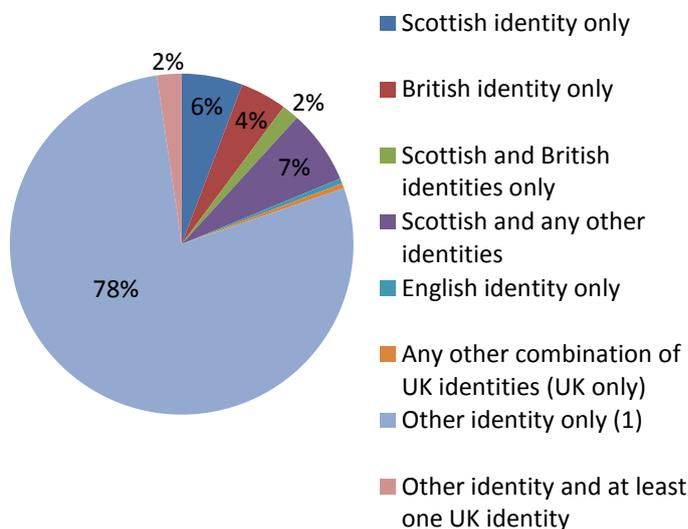


Source: Scotland's Census 2011

National Identity

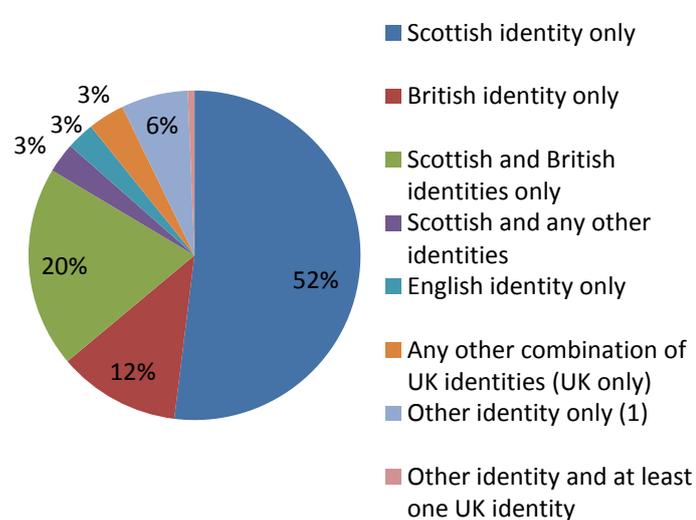
Despite being born overseas, 22% of non-UK EU nationals identified themselves as Scottish or at least one other UK identity. These data indicate that a proportion of these Edinburgh residents born in other EU countries may have taken UK citizenship, though further work is required to establish precise data on this cohort.

Fig 14: Breakdown of non-UK EU nationals in Edinburgh by national identity



Source: Scotland's Census 2011

Fig 15: Breakdown of rest of Edinburgh by national identity

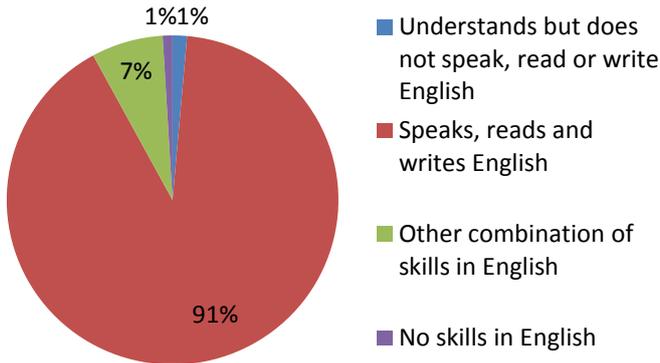


Source: Scotland's Census 2011

English Language

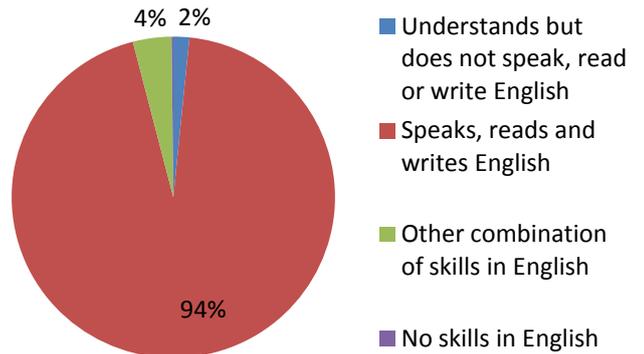
At the last census 2011, a high 99% of non-UK EU nationals either speaks, reads and writes English, understands English or have other combination of skills in English. Only 1% had no skills in English which is surprisingly lower than the 2% that had no skills in English in the rest of Edinburgh.

Fig 16: Breakdown of non-UK EU nationals in Edinburgh by English Language



Source: Scotland's Census 2011

Fig 17: Breakdown of rest of Edinburgh by English Language



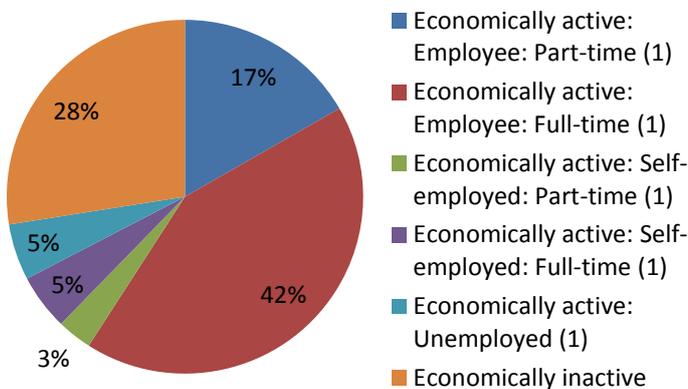
Source: Scotland's Census 2011

When looking at the main language spoken in the home of pupils at Edinburgh schools, it has been found that 3,646 pupils (8%) speak European languages. This does not evidence the number of non-UK EU born nationals attending schools in Edinburgh, though it may provide a good proxy indicator.

Economic Activity

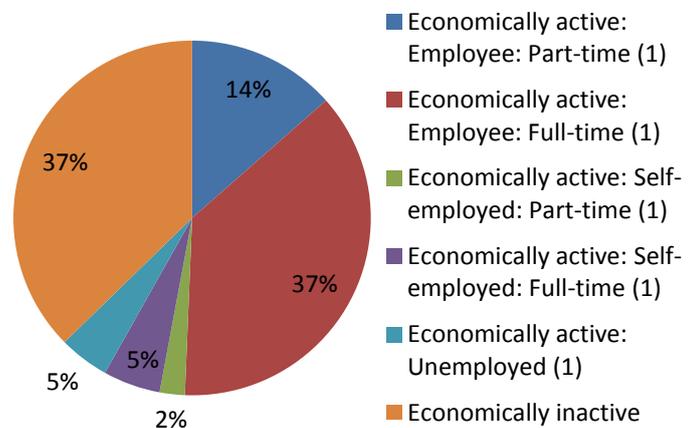
In Edinburgh 72% of non-UK born EU nationals were economically active at the 2011 census. This is compared to 63% for the rest of Edinburgh.

Fig 18: Breakdown of non-UK EU nationals in Edinburgh by Economic Activity (aged 16+)



Source: Scotland's Census 2011
Note: (1) Including full-time students

Fig 19: Breakdown of rest of Edinburgh by Economic Activity (aged 16+)

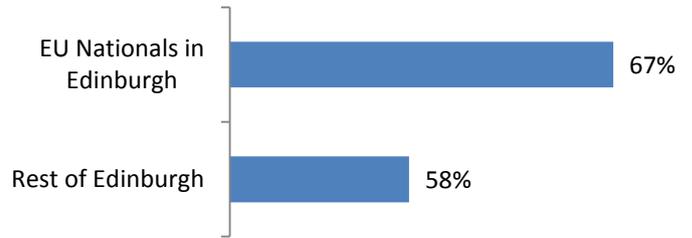


Source: Scotland's Census 2011

“The Scottish Census 2011 data shows that the non-UK EU born population in Scotland have the second highest employment rates of Scotland’s immigrant populations.” (The Scottish Parliament, 2014, p.29)

In Edinburgh, the employment rate for non-UK EU nationals was higher at 67% compared to 58% for the rest of Edinburgh.

Fig 20: Employment rate in Edinburgh



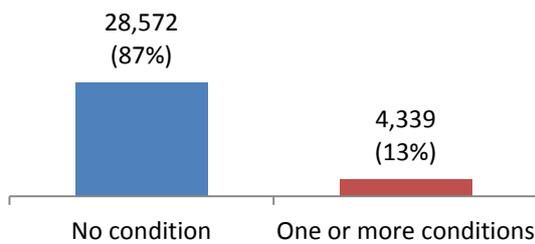
Note: Includes employed and self employed and students only. Excludes economically active – unemployed (incl. students) and economically inactive.

Source: Scotland's Census 2011

Long Term Conditions

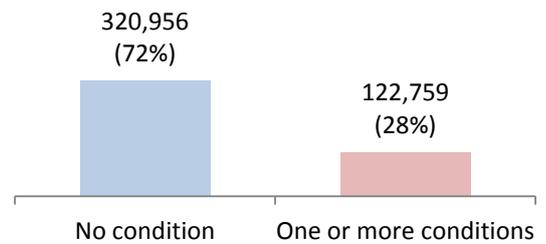
Only 13% of non-UK born EU nationals had one or more Long Term Condition (LTC) at the 2011 Census. This is compared to 28% for the rest of Edinburgh.

Fig 21: Breakdown of non-UK EU nationals in Edinburgh by LTC



Source: Scotland's Census 2011

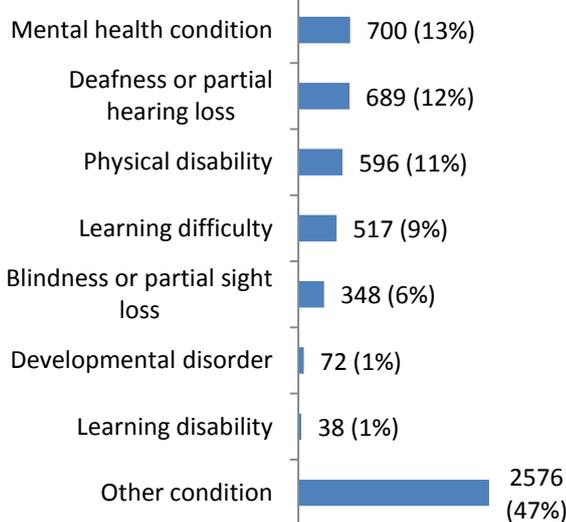
Fig 22: Breakdown of rest of Edinburgh by LTC



Source: Scotland's Census 2011

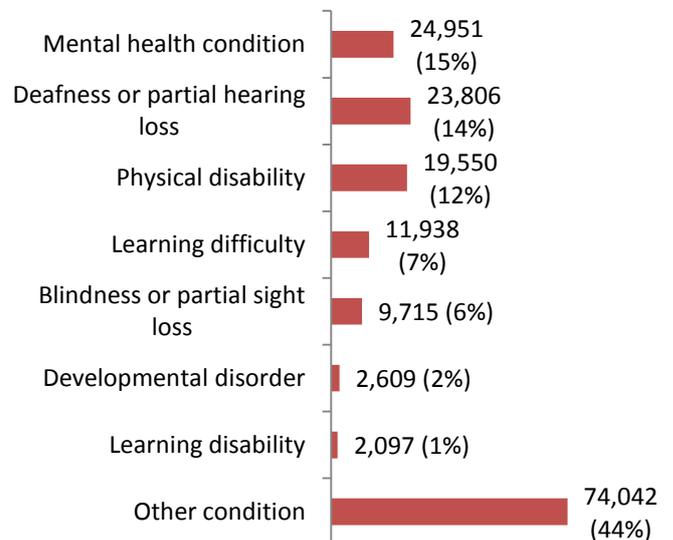
When breaking down the type of long term condition for those with one or more condition, non-UK EU nationals follow a very similar pattern to the rest of Edinburgh with mental health, deafness or partial hearing loss and physical disabilities above 10%.

Fig 23: Breakdown of non-UK EU nationals in Edinburgh who have one or more LTC



Source: Scotland's Census 2011

Fig 24: Breakdown of rest of Edinburgh who have one or more LTC



Source: Scotland's Census 2011

References

DataShine Scotland. (Accessed on 2016). (Available at: <http://scotland.datashine.org.uk>)

National Records of Scotland. (Accessed on 2016). Scotland's Census 2011. (Available at: <http://www.scotlandscensus.gov.uk/>)

The City of Edinburgh Council. (2013). 2011 Census Edinburgh. Topic summary: Ethnicity and related themes: ethnic group, country of birth, national identity, age and year of arrival in the UK, religion, languages.

The Scottish Parliament. (2014). The SPICe Briefing. The impact of EU membership in Scotland

Corporate Policy and Strategy Committee

10am, Tuesday, 4 October 2016

Unity in Diversity Summit

Item number	7.4
Report number	
Executive/routine	
Wards	City wide

Executive summary

It is proposed that the Lord Provost travels to Florence from 2 to 4 November 2016 to attend the second edition of the Unity in Diversity summit hosted by the Mayor of Florence. The second edition of Unity in Diversity, the mayors' summit which gathered mayors from all over the world for the first time in November 2015, will focus on Cities' Resilience in 2016. This is the 50th anniversary year of the flooding of the river Arno in Florence. Beginning in 1965, Florence and Edinburgh have co-operated as twin cities along a broad range of areas.

Links

Coalition pledges	P40
Council Priorities	CP12
Single Outcome Agreement	SO4

Corporate Policy and Strategy Committee

Unity in Diversity Summit

Recommendations

- 1.1 To approve acceptance of the invitation extended to the Lord Provost from the Mayor of Florence to visit Florence in November 2016 to attend the second edition of the “Unity in Diversity” summit of Mayors from around the world.
- 1.2 To note that a post-visit report will be provided after the event.

Background

- 2.1 November 2016 marks the 50th anniversary of the flood which destroyed the city of Florence in 1966.
- 2.2 The first edition of Unity in Diversity took place in Florence in November 2015 with the aim that Mayors from all over the world would together foster dialogue between communities, united in their diversity. The summit culminated in the signing of the Charter of Florence (see Appendix 1).
- 2.3 The second edition of the Unity in Diversity summit in 2016 will be dedicated to issues related to urban areas coexisting with water and rivers, as well as additional themes of climate change, cultural and natural heritage protection, and energy and natural resources. Additionally, a special focus will be dedicated to endangered cultural and natural heritage in conflict areas.
- 2.4 During the first two days of the programme mayors will have the opportunity to share ideas and governance best practices about natural disasters prevention, resilience, climate change and sustainable development policies. On the final day the conference will close with special commemorations in memory of the 1966 flood.
- 2.5 Panels and conferences will be held by high profile experts in the field. Scientists, UN representatives, international government and economic world representatives will be present to share expertise.
- 2.6 Cities present at the first Unity in Diversity summit in 2015 were: Florence, Arad, Beit Fajjar, Birgu, Bled, Bruxelles, Bogor, Birzeit, Bogotà, Craiova, Diyarbakir, Durres, Eger, Estoril, Fier, Gostivar, Heart, Idrija, Istanbul, Kotor, Kuldiga, Korydallos, Kobane, Kutaisi, Kyoto, Lussemburgo, Milano, Mitrovica, Mogadiscio, Mbarara, Nairobi, Nazareth, Nuevo Cuscatlan, Ohrid, Oswiecim, Pecs, Pozzallo, Pristina, Qalqilia, Reims, Rijeka, Rimac, Sabac, San Vincente del Caguan, Aliena, Sintra, Tbilisi, Tetova, Tirana, Torino, Turku, Ulyanovsk,

Main report

- 3.1 The Mayor of Florence has extended an invitation to the Lord Provost to attend the international Mayors' summit Unity in Diversity in Florence from 2 to 4 November 2016.
- 3.2 Throughout the years, the twinning relationship between Edinburgh and Florence has been underscored by a number of reciprocal civic visits. The most recent civic visit to Florence was in June 2015 when the Lord Provost travelled to celebrate the 50th anniversary of the twinning relationship at the Mayor's invitation. Prior to that, Councillor Richard Lewis was invited to Florence in October 2013 to speak about Edinburgh's festivals.
- 3.3 The Lord Provost hosted the Deputy Mayor of Florence as his guest at the opening of the Edinburgh International Festival and Military Tattoo in August this year following the 50th Anniversary of the Twinning in 2015.
- 3.4 2016 marks the 50th anniversary of the flooding of Florence and therefore the chosen focus for the Summit is on the theme of Resilience. The Lord Provost's visit will offer the opportunity to:
 - a. Show solidarity with Florence on behalf of Edinburgh.
 - b. Learn from examples of best practice regarding flooding and natural resource management.
 - c. Offer the opportunity to exchange case studies and examples from Edinburgh with cities from all over the world.
 - d. Develop strategies for the preservation and enhancement of cultural assets both tangible and intangible.
- 3.5 The Lord Provost would be accompanied in Florence by a City Officer.

Measures of success

- 4.1 As there are no specific Capital Coalition Pledges and Council Outcomes for Investment and International Relations, the team monitors its contribution to a wide range of related pledges and outcomes.
- 4.2 Further information on the conference will be provided after the event.

Financial impact

- 5.1 The costs of attendance depend on the time of booking. Costs estimated by Horncastle are in the region of £300pp for travel by air (same day arrival). Costs

for travel by rail are estimated to be £500pp, as well as a night spent in London or Paris on either side of the return journey making the total cost £800pp and requiring two working days spent travelling. Rail travel including overnight sleeper journeys as a third alternative would cost approximately £600pp.

- 5.2 The city of Florence will cover the cost of accommodation in the city for the duration of the conference. Transport costs will be met from the Economic Development budget 2016/17.

Risk, policy, compliance and governance impact

- 6.1 The actions and outputs described in this report adhere to the risk compliance policy and governance arrangements.

Equalities impact

- 7.1 There are no equalities impacts arising from the programme proposed in this report. The Council's European and International Strategy supports the Council's commitment to equal opportunities.

Sustainability impact

- 8.1 Travel arrangements have been made in accordance with the Council's Sustainable Travel Plan. Travel options have been considered and the recommended mode of travel is return flights from Edinburgh to Florence. While there are adverse impacts on air quality and noise associated with air travel, rail travel is not considered practical given the cost and time requirement.
- 8.2 According to the International Civil Aviation Organisation the journey will create approximately 291kg of CO₂, per person, travelling by air.

Consultation and engagement

- 9.1 Attendance by the Lord Provost at this summit provides the Council with a channel for engaging and consulting on Edinburgh's policies regarding flood prevention, natural and energy resources, natural heritage protection and climate change.

Background reading / external references

www.unityindiversity.it

Paul Lawrence

Executive Director of Place

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E-mail: Elaine.ballantyne@edinburgh.gov.uk | Tel: 0131 529 3702

Links

Coalition pledges	P40 - Work with Edinburgh World Heritage Trust and other stakeholders to conserve the city’s built heritage
Council Priorities	CP 12
Single Outcome Agreement	SO4



THE CHARTER OF FLORENCE

“UNITY IN DIVERSITY” NOVEMBER 5- 8, 2015

We, the Cities Reunited in Florence, for the Global Mayors Summit “Unity in Diversity” (November 5-8, 2015), sixty years after the Conference of Mayors of the Capital Cities convened by the then Mayor of Florence, Giorgio La Pira,

recognize

- heritage as the totality of natural, environmental, tangible and intangible cultural values that contribute to make the different identities of communities, groups and individuals living in our Cities;*
- our different traditions, our natural, environmental and cultural heritage present in our cities, not only as a local or national heritage, but also as the heritage of the whole humanity which unite peoples and past present and future generations;*
- the diversity and plurality of our heritage as a source of exchange, innovation and creativity necessary for the spiritual, intellectual, emotional and material development of humankind;*
- the key role of heritage to improve the quality of life in our communities and build a process of peace and development based on an intercultural dialogue;*
- the key role of cities in the promotion of a sustainable development based on the diversity of cultural expressions and creativity as drivers of economic and social development.*

Given the above, we acknowledge the following needs:

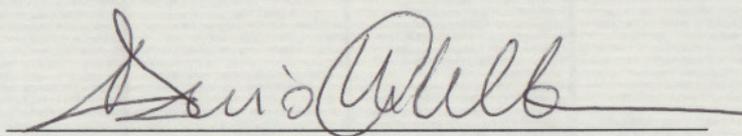
- to recognize equal dignity and worth to every expression of cultural heritage;*
- to create an environment in our cities which can allow the promotion and protection of human rights for all, recognizing the access to heritage as a right of every human being and ensuring a more extensive awareness and fruition by our citizens and visitors;*
- to protect and enhance, for future generations, the heritage of our cities, whose loss and destruction must be considered a crime against humanity;*
- to strengthen intercultural relations, cooperation and exchanges among our cities, increasing solidarity among citizens, who are different in language, cultures and religious belief but equal in dignity right of freedom of movement, justice and peace;*
- educate present and future generations to a greater understanding and acceptance of the diversity of cultural expressions, as well as increase in individuals of all ages, social status and in the civil society the awareness of the role of culture as a pattern for the construction of peace.*



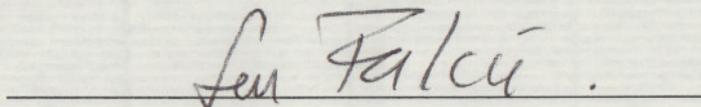
Therefore, we will:

- raise awareness and involve the citizens of our cities in the active protection of our heritage, even through the establishment of fund-raising activities aimed at protecting the local or international heritage, with particular regard to the heritage of the developing countries and the heritage at risk, in a context of cooperation among Cities and of global, integrated heritage;
- support, as "Unite for Heritage", UNESCO's campaigns regarding the defense of heritage; foster the establishment of scientific committees to help the "Blue Helmets of Culture" - promoted by the Italian Government - and support programs of international cooperation for the preservation and protection of heritage;
- make available to UNESCO, its National Commissions, Governments and City Administrations a network of specialists, particularly in the field of conservation and heritage management, in order to activate a network of protection for the cultural and natural heritage in danger because of wars and natural disasters;
- make an appeal to UNESCO for the establishment of a Standing Committee for the consultation of Mayors, which promotes a new role of the City in the protection and enhancement of the natural and cultural heritage, of the diversity in cultural and linguistic expressions and of promoting peace.

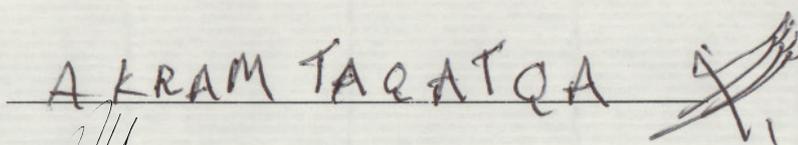
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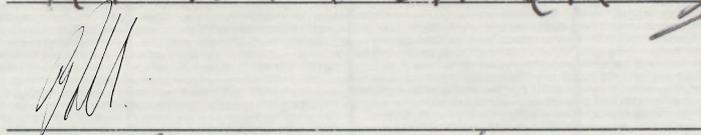
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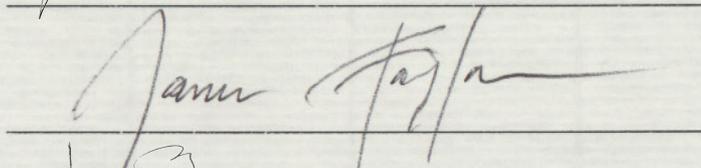
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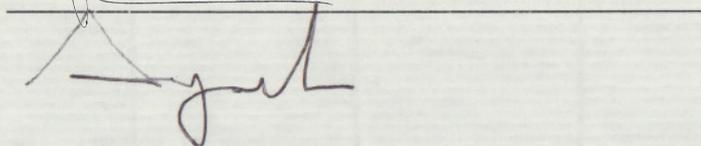
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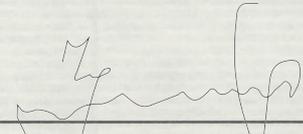
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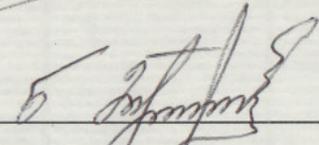


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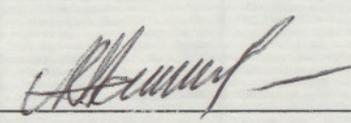
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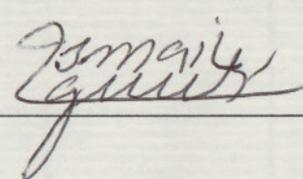
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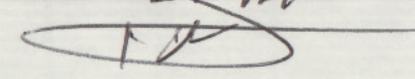
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Amir Amir

Turku

Elmer

Ulyanovsk

Amir Amir

Valona (Vlora)

徐宗生

Xi'An

Yannis Agapi

Vienna

Amir Amir

Ypres

Amir Amir

RIHAC

Amir Amir

Torino

Florence - Palazzo Vecchio, November 5 - 8, 2015

Corporate Policy and Strategy Committee

10.00am, Tuesday, 4 October 2016

Internal Audit Quarterly Update Report: 1 January 2016 – 31 March 2016– referral from the Governance, Risk and Best Value Committee

Item number	7.5
Report number	
Wards	All

Executive summary

The Governance, Risk and Best Value Committee on 23 June 2016 considered a report which detailed the Internal Audit progress for the period 1 January 2016 to 31 March 2016.

The report has been referred to the Corporate Policy and Strategy Committee on the recommendation that high risk findings from audit reports be submitted to their parent Committee for information. This relates to the internal audit report for Retention of Corporate Knowledge.

Links

Coalition pledges	See attached report
Council outcomes	See attached report
Single Outcome Agreement	See attached report
Appendices	See attached report

Terms of Referral

Internal Audit Quarterly Update Report: 1 January 2016 – 31 March 2016

Terms of referral

- 1.1 On 23 June 2016, the Governance, Risk and Best Value Committee considered a summary of the findings and status of work from the Internal Audit plan of work. The plan is updated throughout the year with additional reviews and any emerging risks.
- 1.2 The report by the Chief Internal Auditor highlighted the progress made along with 18 reports, categorised by level of risk.

Details of the action plans with implementation dates to mitigate any findings were also contained within the report. Any action which remained outstanding after the agreed implementation date would be reported back to the Governance, Risk and Best Value Committee.

- 1.3 The Governance, Risk and Best Value Committee agreed:
 - 1.3.1 To note the progress of Internal Audit in issuing 18 internal audit reports during the quarter and to note the areas of higher priority findings for reviews issued in this quarter.
 - 1.3.2 To refer the 5 reports noted in Appendix 1 of the report to the Audit and Risk Committee of the Edinburgh Integrated Joint Board.
 - 1.3.3 To request that high risk findings from audit reports be submitted to the relevant parent committee for information.

For Decision/Action

- 2.1 The Corporate Policy and Strategy Committee is asked to note the attached audit report with high risk findings concerning the Retention of Corporate Knowledge.

Background reading / external references

[Minute of Governance, Risk and Best Value Committee – 23 June 2016](#)

Kirsty-Louise Campbell

Interim Head of Strategy and Insight

Contact: Laura Millar, Assistant Committee Clerk

Email: laura.millar2@edinburgh.gov.uk | Tel: 0131 529 4319

Links

Coalition pledges See attached report

Council outcomes See attached report

Single Outcome Agreement See attached report

Appendices See attached report

Governance, Risk and Best Value Committee

10.00am, Thursday 23 June 2016

Internal Audit Quarterly Update Report: 1 January 2016 – 31 March 2016

Item number	7.2
Report number	
Executive/routine	
Wards	

Executive summary

Internal Audit has made reasonable progress in the final quarter of the audit year. This report provides details of the activity from 1 January 2016 – 31 March 2016.

Links

Coalition pledges	PO30
Council outcomes	CO25
Single Outcome Agreement	

Internal Audit Quarterly Update Report: 1 January 2016 – 31 March 2016

Recommendations

- 1.1 Committee is requested to note the progress of Internal Audit in issuing 18 internal audit reports during the quarter and to note the areas of higher priority findings for reviews issued in this quarter.
- 1.2 Committee is requested to refer the 5 reports noted in Appendix 1 as potentially being of interest to the Audit & Risk Committee of the Edinburgh Integrated Joint Board to that Committee.

Background

- 2.1 Internal Audit is required to deliver an annual plan of work, which is scoped using a risk-based assessment of Council activities. Additional reviews are added to the plan where considered necessary to address any emerging risks and issues identified during the year, subject to approval from the relevant Committees.
- 2.2 Status of work and a summary of findings are presented to the Governance, Risk and Best Value Committee for consideration on a quarterly basis.

Main report

- 3.1 Internal Audit has made reasonable progress in the final quarter of the audit year with 18 reports being issued for the quarter. These reports contain a total of 8 High, 28 Medium & 11 Low findings.
- 3.2 The status of outstanding recommendations from reports issued prior to this period is discussed in the report 'Internal Audit follow-up arrangements: status report from 1 January 2016 to 31 March 2016'.
- 3.3 Appendix 1 provides a summary of reports and the classification of findings in the period. A copy of all final reports is available to members.
- 3.4 Appendix 2 provides a summary of the High Risk findings and associated management actions.

Measures of success

- 4.1 Once implemented, the recommendations contained within these reports will strengthen the Council's control framework.

Financial impact

- 5.1 None.

Risk, policy, compliance and governance impact

- 6.1 If Internal Audit recommendations are not implemented, the Council will be exposed to the risks set out in the relevant detailed Internal Audit reports. Internal Audit recommendations are raised as a result of control gaps or deficiencies identified during reviews therefore overdue items inherently impact upon compliance and governance.
- 6.2 To mitigate the associated risks, the Committee should review the progress of Internal Audit and the higher classified findings, and consider if further clarification or immediate follow-up is required with responsible officers for specific items.

Equalities impact

- 7.1 No full ERIA is required.

Sustainability impact

- 8.1 None.

Consultation and engagement

- 9.1 None.

Background reading/external references

- 10.1 None.

Magnus Aitken

Chief Internal Auditor

E-mail: magnus.aitken@edinburgh.gov.uk | Tel: 0131 469 3143

Links

Coalition pledges	PO30 - Continue to maintain a sound financial position including long-term financial planning
Council outcomes	CO25 - The Council has efficient and effective services that deliver on objectives
Single Outcome Agreement	
Appendices	Appendix 1 – Summary of Internal Audit report findings issued for period of 1 January 2016 – 31 March 2016. Appendix 2 – Summary of High Risk Findings and Management Actions for period of 1 January 2016 – 31 March 2016.

Appendix 1

Summary of Internal Audit reports issued for period 1 January 2016 – 31 March 2016

Internal Audit reports				
Title of Review	High Risk Findings	Medium Risk Findings	Low risk Findings	Advisory Comment
Contract Management – Roads – SFC 1505	2	4	-	-
Management of Devolved Neighbourhood Environmental Programme & Community Grant Funding CW1503	2	2	-	-
Schools IT Systems – CF1513	1	3	1	-
Continuous Testing - One Time Payments – CG1503	1	3	-	-
Governance Arrangements – Arms Length Companies – CW1502	1	3	-	-
Retention of Corporate Knowledge – CG1515#	1	2	-	-
Edinburgh Shared Repairs Service – Emergency Repairs – SFC1507B	-	4	3	1
LBCJA – Information Governance – JB1504	-	3	1	-
Resilience Planning (Communities & Families) – CF1519	-	2	2	-
Additional Support for	-	1	2	-

Learning – CF1521				
Implementation of 2016/17 Savings - CW15015#	-	1	-	-
Implementation of the Children & Young People's Act – CF1514	-	-	2	-
Continuous Testing – Payroll – CG1512#	-	-	-	-
<i>Total</i>	8	28	11	1
Other Internal Audit Outputs				
Business Continuity Management -Tattoo – JB1503*	2	1	1	-
Review Recommend – Edinburgh Shared Repairs Services – SFC1507A	N/A	N/A	N/A	N/A
Review of Health & Safety Management System with a focus on Asbestos, Driving and Hand Arm Vibration Working Groups#	N/A	N/A	N/A	N/A
Schools Assurance Pilot Framework- Thematic Response – CF1520	N/A	N/A	N/A	N/A
Health & Social Care - Service Matching Unit – Desktop review#	N/A	N/A	N/A	N/A

* Given that the Tattoo is an independent Charity and not part of the Council, the details of the High Risk Findings have not been included within Appendix 2.

These reviews may be of interest to members of the Audit & Risk Committee of the Edinburgh Integrated Joint Board and it is proposed these reviews are referred to that Committee.

City of Edinburgh Council

Internal Audit

**Quarterly Summary of Critical/High Risk
Findings and Management Actions**

(31 December 2015 - 31 March 2016)

Contents

- Section 1 – Contract Management - Roads 2
- Section 2 – Management of the Devolved Neighbourhood Environmental Programme and Community Grant Funding7
- Section 3 – Schools IT systems12
- Section 4 – Continuous Testing – One Time Payments15
- Section 5 – Governance Arrangements – Arms Length Companies18
- Section 6 – Retention of Corporate Knowledge21

Section 1 – Contract Management - Roads

SFC1505

Total number of findings

	Critical	High	Medium	Low
Total	-	2	4	-

Background

The Neighbourhood Roads Teams across the City are allocated an annual revenue budget of £4.9 million across the six Neighbourhoods (soon to be four Localities) for road repairs and renewal and a Capital budget of £0.9m to spend under the Neighbourhood Environmental Programme and on smaller projects such as carriageway enhancement, drainage improvements and bus stop maintenance.

The Neighbourhood Roads Teams are responsible for designing and commissioning works within the budgets allocated to them. Work is directed first to the Edinburgh Roads Service (ERS), before being sent to a framework contractor where ERS do not have the skills or capacity to complete the work.

This audit focussed on works completed by the ERS which were commissioned by the West Neighbourhood Office. However, the findings should be taken as indicative of areas where it is possible that adequate controls and processes have not been fully adopted by all the neighbourhood offices. Management have proposed actions to address our findings which will be rolled out across the new locality roads teams.

Scope

The scope of this review will be to assess the design and operating effectiveness of the Council's controls for the prioritisation of maintenance and improvement works and controls over works contract management. The sub-processes and related control objectives included in the review are:

- Prioritisation of work;
- Allocation of work; and
- Contract Management

Testing for this audit was limited to work completed by the internal Edinburgh Roads Service and commissioned by the West Neighbourhood Office. We also walked through the process used by the central Transport team to manage works carried out by Edinburgh Roads Service to assess the design and implementation of controls.

Local Roads Programme works completed by external framework contractors are included within the scope of the Neighbourhood Partnerships review.

Summary of High Risk Findings

Budgetary control and financial management

There is no consistent or robust process for managing the costs of works undertaken by ERS. Through discussions with officers at the West Neighbourhood Office and the Central Transport department we noted that:

- There is no schedule of rates for works carried out by ERS. This means budgets for works cannot be completed accurately;
- ERS are not required to obtain approval from the commissioning manager for an extension to approved works, or where additional labour, plant or materials are required;
- As ERS is part of the Planning and Transport service, payment for labour, plant and materials is by internal transfer which does not have to be authorised by the commissioning manager from the Transport department or the Neighbourhood Office;
- There was no evidence retained that costs charged by ERS are reviewed by the commissioning manager; and
- Costs are recorded on Axim, while the estimated works budget is recorded on the Confirm project management system. There is no link between the systems, so budget variances must be calculated manually.
- The additional costs of any remedial works are charged to the commissioning roads teams on top of the original budget. They are not able to reclaim those costs from ERS.

Quality

Reviews undertaken by the Transport Interim Quality Audit Team identified works and materials failures resulting in major remedial works at additional cost to the Council. The Transport Interim Quality Audit Team was a short-life working group and has now been disbanded.

Officers were unable to demonstrate that site visits are carried out as a matter of routine by project or commissioning managers to confirm that the quality and extent of works completed are satisfactory.

Recommendations and Agreed Management Action for High Risk Findings

Recommendations	Agreed Management Actions	Target Date	Status of Actions Due
<p>Contract Management - Financial Management</p> <p>The road and footway contract process should include robust monitoring of contract expenditure. This should include:</p> <ul style="list-style-type: none"> • Accurate budgeting of work assisted by a schedule of rates; • Documented approval of variations to agreed work; • Exception reporting to highlight overspend against budget; and • End of works review of expenditure to ensure commissioning managers are satisfied that all work and costs are appropriate. 	<ol style="list-style-type: none"> 1. For Locality (Revenue) Work, estimated works costs are prepared and noted on Confirm (Works Management System) making use of compound rates. Ensure that future works estimates make use of agreed and future schedule of rates. Responsible Officer: North-West Local Transport & Environment Manager 2. For Locality (Revenue) Works, introduce a protocol to ensure that additional works are agreed, where reasonably possible, with the Commissioning team prior to commencement. Responsible Officer: North-West Local Transport & Environment Manager 3. For all Capital and Revenue Work, introduce an internal contract process to manage works estimating, charging, completion sign off by the 	<p>30 June 2016</p> <p>1 October 2016</p> <p>30 October 2016</p>	<p>Not due</p> <p>Not due.</p> <p>Not due.</p>

Recommendations	Agreed Management Actions	Target Date	Status of Actions Due
	<p>client and final account closure.</p> <p>Responsible Officer: Transport Infrastructure Manager</p> <p>4. Establish remedial works protocol to ensure Commissioning teams are not charged for defective works.</p> <p>Responsible Officer: ERS Manager</p>	1 October 2016	Not due.
<p>End of Works Quality Assessment</p> <p>An end of works quality assessment should be conducted and documented before final payments are made to contractors and ERS. This review should be carried out by a qualified member of staff who can assess the work carried out against the industry standards and contract requirements.</p>	<p>1. Recommendation accepted – ongoing site visits to be adequately recorded and final quality inspection process to be developed, by the Locality Transport teams, for appropriate works.</p> <p>Responsible Officer: North-West Local Transport & Environment Manager</p> <p>2. Sample Inspections for Revenue works (commissioned by Locality Teams) are currently undertaken and will be recorded through Confirm. (Audits of above to be undertaken to ensure compliance)</p> <p>Responsible Officer: North West Local Transport & Environment Manager</p> <p>3. Site visits (and Final Inspections) to be carried out by commissioning teams for all Capital schemes and significant revenue works.</p>	<p>30 June 2016</p> <p>30 June 2016</p> <p>30 June 2016</p>	<p>Not due</p> <p>Not due</p> <p>Not due</p>

Recommendations	Agreed Management Actions	Target Date	Status of Actions Due
	<p>Responsible Officer: Transport Infrastructure Manager</p>		

Status of actions due will be validated by Internal Audit as part of the follow-up review process.

Section 2 – Management of the Devolved Neighbourhood Environmental Programme and Community Grant Funding

CW1503

Total number of findings

	Critical	High	Medium	Low
Total	-	2	2	-

Background

Community Grant Funding

Devolved Community Grant Funding ('CGF') to Neighbourhood Partnerships aims to encourage community-run projects which benefit the local community and support the implementation of Local Community Plans. Constituted groups from the local area can apply for a grant of up to £5,000 for a project which demonstrates community benefit. Each Neighbourhood Partnership Board manages the annual fund according to local structures and priorities but all use the Council's approved community grant funding criteria, standard application form and Council Funding Conditions. Community Grant Funding available to local areas in 2015/16 totalled £405,678.

Following consultation, some Neighbourhood Partnerships have taken this a step further and have fully devolved the budget and responsibility for selecting successful bidders to local residents groups, who arrange open community voting for projects. This is known as 'participatory budgeting'.

Neighbourhood Environmental Programme

The Neighbourhood Environmental Programme ('NEP') covers two distinct work streams: Roads and Footways ('General Fund') and Housing Regeneration Projects ('HRA').

HRA is restricted to areas where there is Council housing and allocated on the basis of local Council rental income. Neighbourhood Partnerships decide how the HRA budget will be spent, but works are commissioned and managed by the central Housing Asset Management team.

The NEP is devolved to the neighbourhoods and managed by Area Roads teams. NEP Community groups and local inspectors identify potential projects in their local area. The Neighbourhood Partnership, community representatives and Area Roads team members then discuss each project and prioritise them to create a works programme. Projects are commissioned and managed by the Area Roads teams, and the processes followed vary from team to team.

In 2014/15, only 70% of the full £1.1 million General Fund budget was spent; HRA spend was 73% of the £2.2 million budget allocation. The projected spend in 2015/16 is 68% of the allocated budget for the General Fund and 59% of the HRA budget.

Scope

The scope of this review was to assess the design and operating effectiveness of the Council's controls for ensuring accountability and appropriate management of spend on behalf of Neighbourhood Partnerships and Council tenants. The audit concentrated on two funding initiatives, Community Grant Funding and the Neighbourhood Environmental Programme.

The sub-processes and related control objectives included in the review were:

- Accountability;
- Management of spend; and
- Performance management.

We visited four of the six Neighbourhood offices to review the CGF and NEP processes.

Summary of High Risk Findings

Project documentation and records retention on Edinburgh Roads Services projects

Neighbourhood Offices commission Edinburgh Roads Services (ERS) to deliver a proportion of General Fund projects and some HRA projects. Where ERS was used, officers from both services were unable to provide documents to demonstrate that key contract and legislative requirements had been met, including:

- Health and Safety risk assessments;

- Scope of works including costs;
- Project acceptance by a senior officer in the Neighbourhood Office;
- Project acceptance by Edinburgh Roads Service;
- Inspection of completed works by the project manager;
- Evidence that costs charged by Edinburgh Roads Service are reviewed by a senior officer in the Neighbourhood Office; and
- Final sign off of completed works by a senior officer in the Neighbourhood Office

The documents should have been retained to comply with the Council's Record Retention policy. It was unclear if they had ever existed and if so, whether they had been destroyed or archived in a manner which made them difficult to recover.

Budget monitoring

Expenditure against budget is not routinely reviewed by locality managers or reported to Neighbourhood Programme Boards. Internal Audit had to specifically request the preparation of financial information as at 29 February 2016 to establish the current financial position for NEP expenditure in each Neighbourhood. 'Committed spend', being the cost to the Neighbourhood Partnership if all planned projects were completed in the year, is reported. However, as indicated by the unspent budget in 2014/15, planned projects are often delayed or dropped. This means that:

- Financial reporting will often show an overspend against budget in the expectation that projects will be postponed or dropped later in the year;
- Budget carried forward from the previous year is not clearly identified; and
- Neither the neighbourhood manager nor the Neighbourhood Partnership Board has sight of actual spend against budget through the year.

Recommendations and Agreed Management Action for High Risk Findings

Recommendations	Agreed Management Actions	Target Date	Status of Actions Due
<p>Retention of project documentation</p> <p>The process for commissioning and managing NEP projects undertaken by ERS should be mapped, with key documents such as a schedule of works, a health and safety risk</p>	<p>1. The process for managing NEPs projects (commissioned by locality teams) should comply with the current Locality Quality Assurance Operational Guide, which covers Construction</p>	31 October 2016	Not due

Recommendations	Agreed Management Actions	Target Date	Status of Actions Due
<p>assessment and final project sign off identified.</p> <p>Key documents must be retained in accordance with the Council's records management policy.</p>	<p>Design & Management. The Operational Guide will be reviewed and updated by Locality Teams with assistance and support from the core Transport Team to ensure it is fit for purpose and reflects current CDM regulations 2015.</p> <p>Responsible Officer: Locality Manager with support from the Transport & Infrastructure Manager</p> <p>2. Refresher training will be targeted to all locality roads managers and relevant ERS and local roads team members.</p> <p>Responsible Officer: Locality Manager</p> <p>3. Increase awareness of the Council's record management system by ensuring that all team members complete Council-wide mandatory training on information governance.</p> <p>Responsible Officer: Locality Manager</p>	<p>30 November 2016</p> <p>31 July 2016</p>	<p>Not due.</p> <p>Not due.</p>
<p>Budgeted and actual expenditure monitoring</p> <p>A robust budget monitoring process should be introduced for use consistently across the neighbourhoods and localities. This should give neighbourhood managers a clear view of actual spend against budget through the year.</p> <p>Performance should be reported regularly to the</p>	<p>A budget monitoring tool has now been developed to monitor the progress of Locality Commissioned work, including NEPS. This will give Neighbourhood Partnerships up-to-date information on actual and budgeted spend for each project and will be completed and shared with all NEP budget holders each month.</p>	<p>30 June 2016</p>	<p>Not due.</p>

Recommendations	Agreed Management Actions	Target Date	Status of Actions Due
<p>Neighbourhood Partnership Board. This should include:</p> <ul style="list-style-type: none"> • Actual expenditure against allocated grant funding; • Projects not completed within the year; • Explanations where there is a significant variance against budget on approved projects; and • Budget carried forward from the previous year. 	<p>Monthly meetings to be established with all Localities NEP budget holders to review job progress, spend to date and budget forecast and budget profile. Progress of projects should be agreed with any variance in costs agreed. Re-profiling of budgets will also be discussed and agreed at the meetings. These meetings should promote best practice and consistent approach throughout all Localities.</p> <p>Responsible Officer: RAMP Planning & Programme Manager</p>		

Status of actions due will be validated by Internal Audit as part of the follow-up review process.

Section 3 – Schools IT systems

CF1513

Total number of findings

	Critical	High	Medium	Low
Total	-	1	3	1

Background

The school IT estate consists of hardware acquired centrally by the Council under a BT service contract and hardware purchased directly by schools. Schools are responsible for managing all devices purchased outside the BT service contract using school funds.

School-managed devices are predominantly iPads purchased for classroom use. Models vary from single classroom iPads to 'one-to-one' schools where each pupil is assigned an iPad. The Digital Learning Team encourages schools to use Meraki to manage iPad use. This is mobile device management software which enables schools to monitor the use of devices and enforce passwords and security settings.

Access to school servers is restricted to devices purchased under the BT service contract. All other devices, including school-managed computers and tablets, only have web access. Office 365 is being introduced to schools to facilitate remote working. Office 365 is a web-based application which allows secure access to emails and cloud storage, and enables users to share documents securely.

Scope

The scope of this review was to assess the design and operating effectiveness of controls relating to access to applications and data in the school IT estate. The review was focussed on school-managed devices and covered:

- Security requirements for access to applications and data;
- IT policy;
- Tracking of hardware; and
- Reporting of security issues.

Summary of High Risk Finding

Use of Non-BT Devices

Teaching staff commonly use personal and school-managed computers for work purposes, which may on occasion involve personal and sensitive data. These are not supported by BT and as such may not have full security such as passwords and anti-virus and encryption software installed. We identified one instance where sensitive personnel data was held on an unencrypted memory stick.

Office 365 has been introduced to all schools. However, use of Office 365 is still limited in some schools and there is evidence that data is still stored on personal and school-managed hard drives.

While staff are required to comply with the corporate Acceptable Use of IT policy, the policy does not specify security required when staff are using their own device for work purposes. We further note that staff at six of 14 schools visited by Internal Audit had not completed mandatory training on information governance at time of our audit visits between September and November 2015.

Recommendation and Agreed Management Action for High Risk Finding

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
<p>School staff should be encouraged to use Office 365 exclusively when using a non-BT managed device for work, and ensure that their device is password protected.</p> <p>Guidance on the use of non-BT managed devices for work should be issued to schools</p>	<p>We will prepare concise, easy-to-use guidance on the use of non-BT managed devices for work, specifying security requirements. The guidance will be introduced to schools at head teachers' and ICT co-ordinators' forums. The guidance will be circulated to schools. Staff will be asked to sign to confirm that they have read and understood the guidance annually.</p> <p>Responsible Officer: Systems Admin Lead Officer –</p>	31 March 2016	This process has been delayed with the revised implementation date now 31 August 2016

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
<p>staff, including</p> <ul style="list-style-type: none"> • Secure storage of data on Office 365 or an encrypted device; • Anti-virus software; • Passwords; and • Physical security. <p>All staff should be required to confirm understanding of and compliance with the guidance.</p>	Digital Learning Team		

Status of actions due will be validated by Internal Audit as part of the follow-up review process.

Section 4 – Continuous Testing – One Time Payments

CG1503

Total number of findings

	Critical	High	Medium	Low
Total	-	1	3	-

Background

A one time payment request is a request for payment that does not relate to any contract for the supply of goods and services. Typical examples of their use are: refunds, (including housing benefits, council tax or parking fines), damage and loss claims, and payroll corrections. Payments are generally made by the completion of a 'One Time Payment' Form. Payments can be made by cheque through the Oracle payment system or by raising a payment through the RBS Bankline system with a 'dummy invoice' being raised within the Oracle payment system.

The payments are processed centrally by the Payments Services Team; with the exception of Benefits, Council Tax, Non-Domestic Rates (NDR), and Payroll. However cancellations or corrections to the subsets above fall to the central team to process. In 2014/15 the activity for one time payments was 20,315 transactions to the value of just under £10.3 million pounds.

Scope

The scope of the review was to assess the design and operating effectiveness of the Council's controls over one time payments. The sub-processes and related control objectives included in the review are:

- Appropriateness;
- Multiple Payments; and
- Channel Shift.

Summary of High Risk Finding

Authorisation controls

There are no effective controls around authorisation and approval of the 'One Time Payment' (OTP) payments.

The current Oracle payment system does not record the name of the person who is authorising the payment; thereby OTP bypasses hierarchy controls. A paper form, requiring two signatures, is sent from the service area to the Payments Services Team, however.

- Some forms are 'pp' by a member of staff within the authorisation field; and.
- Some signatures are illegible therefore it is unclear who the signature belongs to.

These payments are processed by the Payments Services Team as the current assumption is that they have been authorised by the service area; and there is no authorised signatory list or delegated authority level for the team to refer to.

Recommendation and Agreed Management Action for High Risk Findings

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
<p>Effective authorisation controls should be implemented immediately. Each Service area should be required to provide a delegated authority level, for example Level 4 Manager, Team Leader, etc. and advised of the requirement for forms to be completed fully and legibly.</p> <p>Payments Services should act as the key control in this system and the default position should be to return inappropriate or incomplete forms to service area.</p>	<p>With immediate effect, no one time payment form with a 'pp' within the authorisation field will be accepted for payment process by Payment Services, and will be returned to originator.</p>	18 January 2016.	Satisfactorily completed
	<p>Payment Services will take control and act on a new process which will include contacting departmental Heads of Service and requesting an updated signature list of staff (Tier 4 or Team Leader grade), who will be responsible and authorise all One Time Payments relating to their area(s).</p> <p>Payment Services staff will check all OTP's received</p>	29 February 2016	Satisfactorily completed

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
	<p>against agreed authorisation list before processing for payment.</p> <p>Any OTP application received by Payment Services without proper authorisation and backing documentation will be returned to department requester.</p> <p>Service to replace signature confirmation with email confirmation – with OTP requests/approvals only being accepted from agreed email addresses consistent with agreed departmental approval lists. This will remove uncertainty created by signature checks and move away from a paper based system. Emails will be stored in agreed archive to allow for audit checks and ongoing compliance monitoring. Activity to be phased in to ensure no inappropriate interruption to service.</p> <p>Responsible Officer: Payment Services Manager</p>	30 April 2016	Satisfactorily completed
One Time Payment functionality should be considered as part of any on-going review process and / or the new payment system implementation.	The Council will review one-time payment functionality within the new systems being introduced in October 2016 through the new ICT contract. Where opportunities exist to strengthen internal controls, for example, through the use of workflow, these will be explored	31 December 2016	Not due.

Section 5 – Governance Arrangements – Arms Length Companies

CW1502

Total number of findings

	Critical	High	Medium	Low
Total	-	1	3	-

Background

The Council has a significant interest in or provides significant funding to a number Subsidiaries, Associates and Trust Companies and the Council register (at the time of our review) had 20 'Companies' and 38 'Subsidiary companies' listed within the register.

The Council is responsible for ensuring that any company it sets up or funds can demonstrate best value in its use of public money. It is therefore critical that sound governance arrangements are in place for these organisations. Experience has shown how poor governance of Council companies can result in significant financial and reputational cost to the Council and an adverse impact on delivery.

A Capital Coalition working group of elected members ("Members' Working Group") considered officer recommendations and set out the arrangements that members wished to put in place in relation to Council companies. The proposals of the Members' Working Group were summarised within section 2 of the Council Companies report which was presented to 'Full Council' on 13.12.12. This report has formed the basis for the existing governance arrangements in place in respect of Arms Length Companies, concluded that:

- The funding agreements or shareholder agreements (between the Council and the company) should set out the objectives of the company linked to the outcomes the Council wishes to achieve, and specify the services and any other return the Council expects in exchange for funding.
- They should also set out the financial, performance reporting, accounting and audit requirements.
- Appropriate KPI's should be put in place to ensure the efficiency of the company's operations and demonstrate best value.

- The Council should receive monthly information from Council companies providing a level of detail which is appropriate.
- Existing agreements should be reviewed in line with these recommendations and monitoring rights should be rigorously enforced by the Council.
- The director of the relevant service area will be responsible for ensuring that the governance and performance of the companies is managed appropriately.

Scope

The scope of this review was to assess the design and operating effectiveness of the Council's controls relating to governance arrangements over 'Council Controlled Companies'. The sub-processes and related control objectives included in the review were:

- Roles and responsibilities
- Governance Arrangements (entity)
- Governance Arrangements (Council Wide)

Summary of High Risk Finding

Independence

Conflicts of interest are difficult to define due to their inherent subjectivity and are often the subject of public scrutiny.

Elected members routinely sit on the Boards of Arms Length Companies and the linked executive Council Committee that oversees them. This results in a number of Councillors who are responsible for scrutinising Arms Length Companies also being directors of the companies, who are legally responsible for the actions of these companies.

This could be perceived as a conflict of interest as individual councillors are responsible for scrutinising actions that they are responsible for. This could result in the perception that Councillors' decisions are influenced by the Arms Length Companies and this situation does not in our opinion, meet best practice governance standards.

Councillors who are directors of EDI and EICC and scrutinising these companies could be perceived as being outwith the spirit of "The Standards Commission for Scotland Guidance on the Councillors' Code of Conduct".

This code defines holding office in a company as a 'Non-Financial Interest' (4.22). The code determines that an elected member with a non-financial interest should withdraw from any discussion (or vote) impacting the interest until the discussion (or vote) has concluded (5.7) unless the Interest is covered by a general or specific exclusion defined by 5.18 (d) of the code. An exclusion would only apply for a company if it was:

- I. established wholly or mainly for the purpose of providing services to the councillor's local authority; and

II. entered into as a contractual arrangement with that local authority for the supply of goods and / or services to that local authority.

It is not clear that EDI and EICC would meet these conditions. The minutes of the Economy committee do not suggest that Councillors who are directors of EDI & EICC withdraw when these companies are being discussed. .

Recommendation and Agreed Management Action for High Risk Findings

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
<p>To avoid the perception that conflicts of interests exist at Committees' scrutinising Arms Length Companies;</p> <ul style="list-style-type: none"> • We would not recommend elected members being directors of Arms Length Companies, which are subject to scrutiny by committees on which they sit. • Where elected members are directors of an Arms Length Company that is being scrutinised by a committee on which they sit, we would consider that it would be good practise for them to withdraw when the relevant arms length company is being discussed. To facilitate this, we would recommend that the committee clerk's should invite all elected members to consider their position prior to any discussion on Arms Length Companies. 	<p>A report including this recommendation will be presented to Council on 28 April 2016. Any consequent adjustment to Board membership will be undertaken at the Council meeting on 2 June 2016.</p> <p>Committee clerks will immediately act in accordance with the decision taken by Council on 28 April when they consider governance arrangements for the Council's ALEOs and, specifically thereafter in reminding at Committee meetings the actions agreed on declaring interests and minimising the risk of potential conflicts of interest.</p> <p>Responsible Officer: Governance & democratic services manger</p>	<p>2 June 2016</p> <p>28 April 2016</p>	<p>A report proposing changes in line with the IA findings is now due to go to Council on 30 June.</p>

Section 6 – Retention of Corporate Knowledge

CG1515

Total number of findings

	Critical	High	Medium	Low
Total	-	1	2	-

Background

The Council is about to under-go a period of significant change as the restructuring programme gathers pace. This will see a significant number of individuals either change roles within or leave the organisation.

The retention of Corporate Information has historically been problematic for the Council and this has been highlighted in a number of incidents recently. Given the level of significant changes anticipated, it is important to ensure that Corporate Information is retained and managed consistently throughout the restructuring process.

Scope

The scope of this review will be to assess the Record Management (RM) controls in place to ensure that important Corporate Knowledge is retained when individuals change roles or leave the CEC. The sub-processes and related control objectives included in this review are:

- Joiners & Leavers; and
- IT Risk Management Access Controls.

Summary of High Risk Findings

Records Management Procedures

The Council's Records Management (RM) policy has been in force since September 2014 but the mandated local procedures to support compliance have yet to be fully embedded across the organisation.

The Council Records Management policy states that staff must follow local administrative procedures which are documented within local Records Management Manuals. Whilst records management practices are documented and controlled in some Council services, there are, as of yet, no formally approved records management manuals within the Council. We understand these will be developed over the next five years. The large transformation program underway in the council will stress the current local documentation and processes in place and the Council would benefit from approved Records Management Manuals being in place.

The Council Records Management policy states that the Information Governance Unit (IGU) will conduct rolling, periodic reviews of Records Management Manuals but this has not been included in the annual information governance plan.

Recommendation and Agreed Management Action for High Risk Findings

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
<ul style="list-style-type: none"> • Develop a plan for roll out and review which must be tracked by the Information Council and appropriate senior management; • A review of the 'state of play' of any RM documentation needs to be undertaken by each Directorate; • Directorates / teams without a completed and approved RM manual must set a deadline and track through to completion; and • The Council should develop common Records Management procedures for services such as Finance, Health and Safety and HR that can then be 	<p>Development and roll out of a 5 year implementation plan by the IGU for the creation and review of records management manuals across the Council to be included in this year's information governance annual plan</p> <p>The IGU will work with DROs this year to review existing RM documentation – this will be incorporated into the implementation plan. Subsequent reviews will be split between the annual information governance maturity assessment and the IGU's rolling risk based review of RM manuals</p> <p>The IGU will work with the relevant service areas to investigate whether common procedures can be developed – this will be incorporated into the implementation plan</p>	<p>29 February 2016 for implementation plan development</p> <p>31 December 2016</p> <p>30 September 2016</p>	<p>Satisfactorily completed</p> <p>Not due.</p> <p>Not due.</p>

Recommendation	Agreed Management Action	Target Date	Status of Actions Due
<p>implemented in local directorates and teams.</p>	<p>The IGU to regularly report to the Information Council on progress with initial pilots, then the wider roll out and eventually a review and audit schedule</p> <p>Responsible Officers: Information Council / IGU members Directorates Records Officers</p>	<p>Ongoing</p>	

Corporate Policy and Strategy Committee

10.00am, Tuesday 4 October 2016

Locality Improvement Plans 2017-2022 - referral from the City of Edinburgh Council

Item number	7.6
Report number	
Wards	All

Executive summary

The City of Edinburgh Council on 22 September 2016 considered a report on the development of Locality Improvement Plans (2017 to 2022), which would build upon previous work undertaken to develop Neighbourhood Partnership Local Community Plans.

The report was referred to the Corporate Policy and Strategy Committee for information.

Links

Coalition pledges	See attached report
Council outcomes	See attached report
Single Outcome Agreement	See attached report
Appendices	See attached report

Terms of Referral

Locality Improvement Plans 2017-2022

Terms of referral

- 1.1 On 22 September 2016 the City of Edinburgh Council considered a report on the development of Locality Improvement Plans (2017 to 2022), which would build upon previous work undertaken to develop Neighbourhood Partnership Local Community Plans.
- 1.2 The City of Edinburgh Council agreed:
- 1) To agree to arrangements for the development of Locality Improvement Plans, as identified at Appendix 1 of the report by the Executive Director of Place, and that this report be referred to all 12 Neighbourhood Partnerships, Communities and Neighbourhoods Committee and Corporate Policy and Strategy Committee for their information.
 - 2) To note that following the Local Government Elections, Members would wish to consider whether new governance arrangements are required to ensure input of local members.

For Decision/Action

The City of Edinburgh Council has referred the attached report to the Corporate Policy and Strategy Committee for information.

Background reading / external references

Minute of the City of Edinburgh Council of 22 September 2016

Kirsty-Louise Campbell

Interim Head of Strategy and Insight

Contact: Louise Williamson, Assistant Committee Clerk

E-mail: louise.p.williamson@edinburgh.gov.uk | Tel: 0131 529 4105

Links

Coalition pledges See attached report

Council outcomes See attached report

Single Outcome Agreement See attached report

Appendices See attached report

Thursday 22 September 2016; 1000 hrs

Locality Improvement Plans 2017-22

Item number	8.1
Report number	Executive
Executive/routine	
Wards	All

Executive summary

This report seeks approval for an approach to develop Locality Improvement Plans (2017 to 2022), which will build upon previous work undertaken to develop Neighbourhood Partnership Local Community Plans.

Links

Coalition pledges	All
Council outcomes	All
Single Outcome Agreement	All

Locality Improvement Plan 2017-2022

Recommendations

- 1.1 It is recommended that the Council agree to arrangements for the development of Locality Improvement Plans, as identified at Appendix 1, and that this report is referred to all 12 Neighbourhood Partnerships, Communities and Neighbourhoods Committee and Corporate Policy and Strategy Committee for their information.
- 1.2 Following the Local Government Elections, Members would wish to consider whether new governance arrangements are required to ensure input of local members.

Background

- 2.1 A key component of effective locality working is locality improvement planning. Currently the City has 12 local community plans, aligned to the 12 Neighbourhood Partnerships. However, many community planning partners, and some council services, deploy different locality improvement planning approaches.
- 2.2 A new Council Corporate and Local Strategic Planning framework was developed in 2015 with the launch of the Council Business Plan. At the same time, strategy and planning teams from across the Council were brought together under the new Strategy division. This has enabled a much more joined up and holistic approach to strategy and planning across the Council, and with all community planning partners. Consequently, one approach to locality improvement planning is now being proposed across the City, involving all Council services and all community planning partners.
- 2.3 The proposed approach is described in detail at Appendix 1 and will:
 - simplify and strengthen existing locality improvement planning arrangements;
 - improve public service integration;
 - place communities at the heart of locality improvement planning; and
 - enable all community planning partners to meet legal duties as a result of the Community Empowerment (Scotland) Act 2014.

Main report

- 3.1 An update report on locality working was recently discussed and approved by the Corporate Policy and Strategy Committee on Tuesday 14 June 2016.
- 3.2 The report identified that locality working has many different inter connected elements, including a focus on:

- Outcomes, values and leadership;
 - Prevention and tackling inequality;
 - Service integration (incl. assets & co-location), innovation and technology;
 - Locality governance and partnerships;
 - community involvement; and
 - Locality insight, planning and performance management.
- 3.3 As a result of the Community Empowerment (Scotland) Act 2014, locality planning is now a legal duty placed on the Edinburgh Partnership Board, and all community planning partners. As the new framework evolves the council will consider wider governance arrangements for decisions at local level.
- 3.4 All Council services and partner agencies (Police Scotland, Fire and Rescue Service Scotland, NHS Lothian, Edinburgh Health and Social Care Partnership, Edinburgh College, and the Third Sector) have agreed to develop a single integrated approach to locality planning, through the co-production of four Locality Improvement Plans, aligned to each of the four localities.
- 3.5 Appendix 1 identifies the following elements of the proposed approach to the development of Locality Improvement Plans:
- 1 Introduction
 - 2 Project Governance, Management and Resourcing arrangements
 - 3 Project Plan
 - 4 Citizen and Community Engagement/involvement
 - 5 Key Stakeholders
 - 6 Locality Improvement Plan Structure
 - 7 Delivery and Review
- 3.6 Engagement with, and the involvement of, elected members and a wide variety of stakeholders, with a specific focus on citizens and community groups, will be a critical element of the approach to develop Locality Improvement Plans. It is proposed that there will be two phases of engagement, both of which will also inform the development of the City Vision, the Council Business Plan and the Community Plan.

Phase 1 – October 2016 to December 2016

- This phase will focus on locality wide issues, outcomes, indicators and actions and link to the Council's budget and transformation engagement process and City Vision engagement activities.

Phase 2 – February 2017 to early April 2017

- This phase will focus on smaller areas that have poorer social, economic and environmental outcomes.
- 3.7 The final drafting process, and sense checking with key stakeholders, will take place from May to June 2017. It is proposed that final approval of each Locality Improvement Plan will take place during July 2017 to October 2017. The plans

will be signed off by the council and the Edinburgh Partnership board. The CP+S will be regularly updated on LIPs and scrutinise final draft visions.

Measures of success

- 4.1 Each Locality Improvement Plan will have an outcome based performance framework. Public performance reporting will take place annually, and will be led by Locality Leadership Teams.

Financial impact

- 5.1 In the resources section of each Locality Improvement Plan, there will be details of joint resourcing initiatives and other financial matters related to the delivery of priority outcomes and actions.
- 5.2 Council and community planning partner agency budget processes will need to take account of the LIP performance. Specifically, failure to deliver LIP priority outcomes and actions may require budget allocation changes. The need to shift financial resources towards preventative work will be critical over the lifespan of each LIP.

Risk, policy, compliance and governance impact

- 6.1 All risk, policy, compliance and governance impacts will be identified and managed by Locality Leadership Teams and the Locality Management Board.
- 6.2 Key risks will feature as part of the Council's corporate risk register, and the Edinburgh Partnership Board's risk register.
- 6.3 Final approval for each LIP will be sought from the Council and the Edinburgh Partnership Board. Responsibility for developing, delivering and reviewing LIPs will sit with Locality Leadership Teams.

Equalities impact

- 7.1 Locality working and locality improvement planning will enable the Council to better meet its public sector equality duty under the Equality Act 2010, by commitments to engage and empower communities of interest and place, and placing a focus on tackling poverty and inequality.
- 7.2 An equality and rights impacts assessment process has been established, and ERIA reports will be published at various points during the development of each LIP.

Sustainability impact

- 8.1 If approved, proposals will contribute to the delivery of Sustainable Edinburgh 2020 social and economic objectives, and support the Council and every community planning partner to meet its legal duties under the Climate Change (Scotland) Act 2011.
- 8.2 LIPs may include more outcomes and actions relating to environmental sustainability work (e.g. reducing GHG emissions, improving place making,

promoting use of sustainable food, implementing local climate change adaptation projects, delivering community and renewable energy projects, and promoting active travel, plus other actions defined by citizens and communities).

Consultation and engagement

9.1 Consultation and engagement activity has already taken place with each Locality Leadership Team on many of the elements described at Appendix 1. Further extensive engagement is planned to develop each LIP, as identified at paragraphs 3.5 and 3.6 above. In addition to engagement with Community Councils, Tenants and Residents Groups, Pupil and Parent Councils, Youth Forums and commissioning networks, new and innovative engagement methodologies with stakeholders will be deployed (e.g. use of open data, open space events, hacking events and youth social media engagement).

Background reading / external references

None.

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Links

Coalition pledges	All
Council outcomes	All
Community Plan	All
Appendices	Appendix 1 – A Proposed Approach to the Development, Approval, Delivery and Review of Locality Improvement Plans (2017- 2022)

Introduction

This paper sets out a proposed approach for the development of the Locality Improvement Plans (LIPs) 2017 to 2022. In line with legal duties described in the Community Empowerment (Scotland) Act 2015, these plans will deliver citizen and community 'priorities and aspirations'.

Locality Improvement Plans will form part of the Council's and the Edinburgh Partnership's Strategic Planning Framework. They will also enable the delivery of better social, economic and environmental outcomes, improve community engagement and co-production, and promote deeper public service integration.

The LIPs will enable elements of locality working to improve across the City, examples include:

- local partnership activity;
- local economic growth;
- prevention work;
- tackling poverty and inequality;
- co-location;
- environmental sustainability;
- service innovation and integration;
- channel shift; and
- other public service reform objectives.

The Council and its partners agreed to develop four LIPs aligned to the locality boundaries. This approach will improve locality planning through partnership working and result in a reduction of the volume of local plans. This shared outcome approach will improve service transformation for resourcing, prevention and engagement.

LIP development is dependent on the commencement of the LIP approval process from June 2017 to October 2017. This process will enable scrutiny and approval by the Council and partners members. This timescale will also meet Scottish Government requirements and allows sufficient time for high quality community research and partner engagement.

Project Governance, Management and Resourcing arrangements

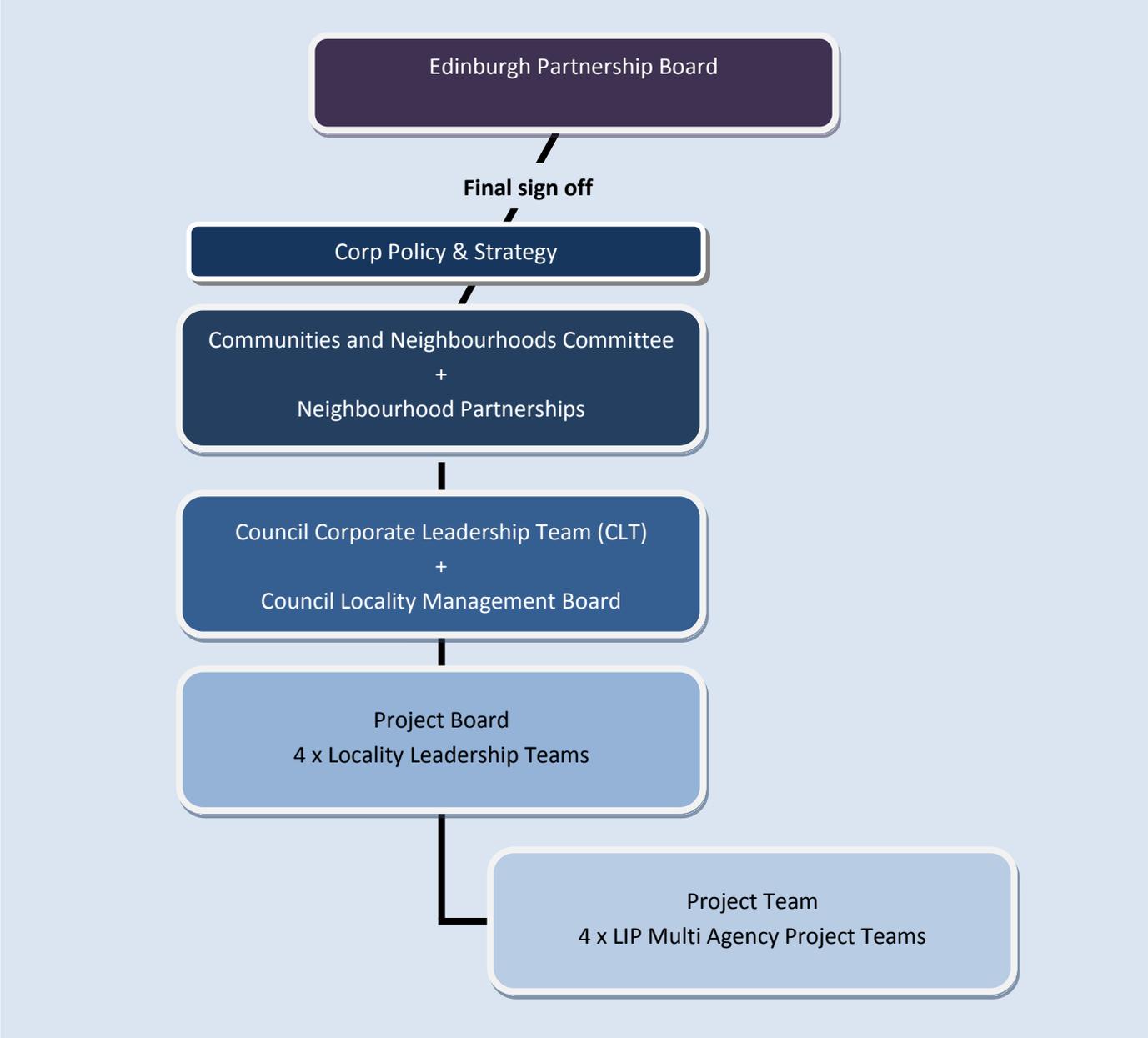
The development of LIPs will take around 12 months to complete. Four LIP Multi Agency Project Teams will be established to lead on LIP development. Each team will have dedicated staffing and financial resources and will report to the Locality Leadership Team. Teams will consist of staff from the Council and each of our partners, whilst additional support will be provided by the Council's Strategy and Insight division. There will be a combination of seconded and lead officer staff from each organisation. To deliver effective citizen and community engagement, staffing resource will be available from the Communities and Lifelong Learning Service, following the completion of their organisation review in early 2017. During engagement, particular focus will be given to areas with poor social, economic or environmental outcomes.

Locality Leadership Teams will act as the Project Board in each area. Development of the LIPs will also be closely monitored by CP+S during the transition from 12 Local Community Plans to four LIPs.

Final approval for each LIP will be by the CP+S then EPB, as the legal duty is placed on the Board as the recognised accountable body for community planning in the City.

Throughout the engagement and development process there will also be opportunity for partners to make grant or budget contributions to cover non staffing costs of project teams.

Below is a summary diagram of project resource and governance arrangements:



* Following the local Council elections in May 2017, Governance arrangements for the development and sign off of Locality Improvement Plans may change. Action will be taken to mitigate any impact of this.

Project plan

2016 2017
 June July Aug Sept Oct Nov Dec | Jan Feb Mar April May June July Aug Sept Oct

Council insight and research

- Develop locality profiles (v1)
- Best practice and legal duty research findings
- Impact assessment
- Development and delivery of engagement and communications plan

Phase 1 Engagement – Locality Wide outcomes and actions

- Engagement area wide
- Analysis of engagement findings
- Confirm area wide outcomes, indicators and actions
- Report back on final findings

Phase 2 engagement – small area engagement – outcomes and actions

- Agree small areas
- Engage with small areas to define outcomes, indicators and actions
- Analysis of engagement findings
- Confirm small area outcomes, indicators and actions
- Report back to stakeholders

Design and final drafting

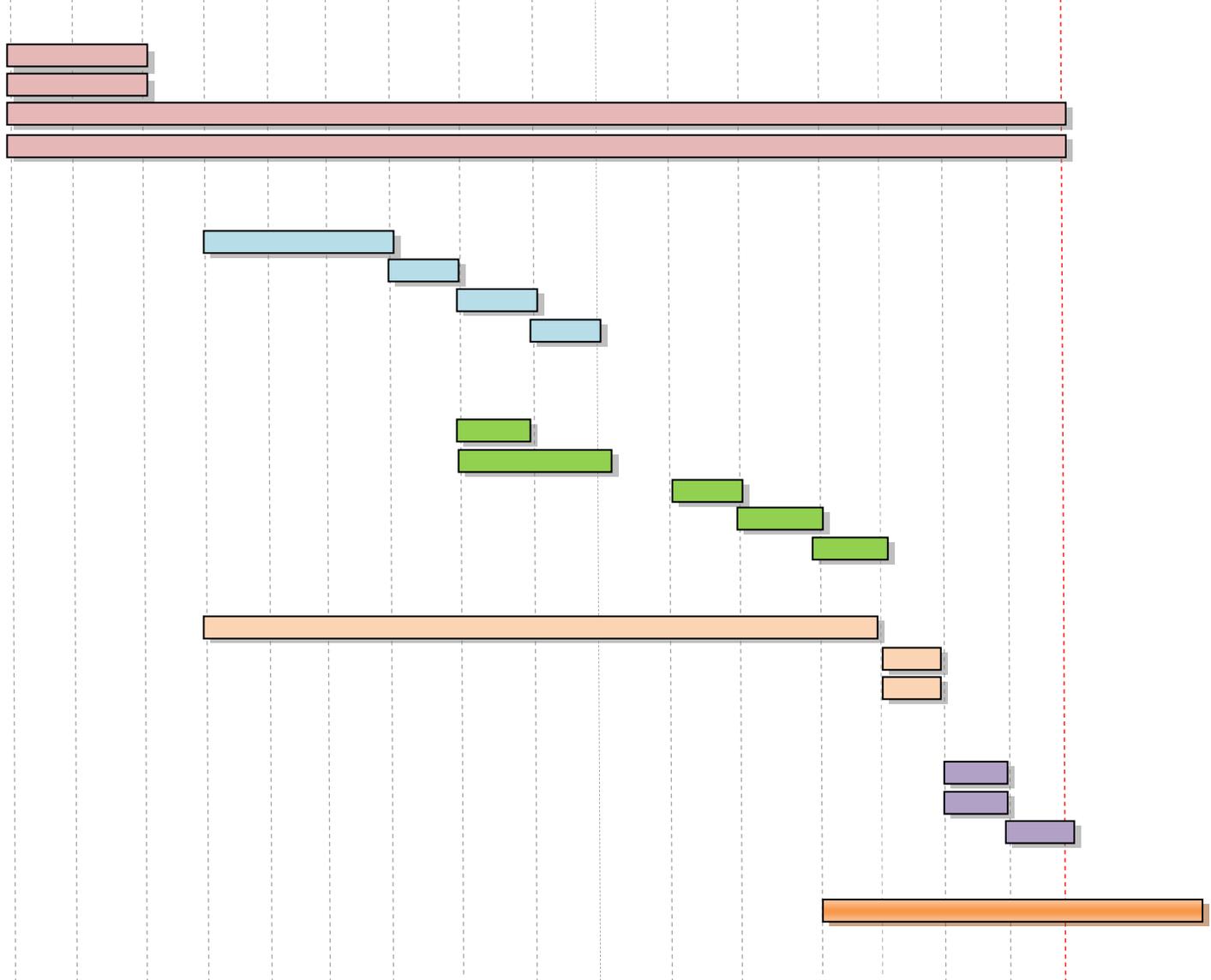
- Develop and agree design formats
- Develop final drafts
- Crystal Mark review

Approval Process

- CLT and partner agency officer approval
- CP&S and Partner Board / Exec approval
- EP Board approval

Delivery and review

- Annual review of LIPs and performance to commence each June



Locality Improvement Plan Structure

The table below indicates the proposed LIP structure, building on the work of Local Community Plans, and following feedback from each Locality Leadership Team and the Management Board. The plan details will be informed by engagement activities with the stakeholders identified previously.

This structure will enable other elements of locality working to improve across the City, eg:

- prevention work;
- leadership and values;
- tackling poverty and inequality;
- co-location;
- environmental sustainability;
- service innovation & integration;
- channel shift;
- joint resourcing; and
- other public service reforms objectives.

This structure will enable the council community planning partners to meet the statutory duty of ensuring citizen and community aspirations are at the heart of locality planning under the Community Empowerment (Scotland) Act 2015.

Section 1	•City vision and Community Plan outcomes and introduction to locality working
Section 2	•Action for citizen and community involvement
Section 3	•Locality insight - from research, performance analysis, locality dashboards and engagement)
Section 4	•Locality wide outcomes and actions - economic / social / environmental
Section 5	•Local outcomes and actions with focus on poorer social, economic and environmental areas.
Section 6	•Resources - shared budgets, integrated teams, assets and co-location and community assets
Section 7	•Partnership and Governance - locality leadership teams, committees, boards, Edinburgh Partnership board
Section 8	•Reporting performance and reviewing outcomes and actions
Section 9	•Values, leadership, culture and learning

Delivery and Review

The Chairs of the Locality Leadership Teams are currently responsible for the delivery of draft Locality Improvement Plans and will be supported by their members. The council may consider governance arrangements around decision making a local level.

Implementation of the LIPs will be reviewed at every meeting of the Locality Leadership Team, following this:

- A performance report on each LIP will be published each October; and
- A final evaluation and review of each LIP will take place in early 2022, with a report going to each LLT by March 2022.

- New LIPs will then be commissioned and completed by October 2022.

Citizen and Community Engagement

Two specific phases of engagement are proposed:

Phase 1 - October 2016 to December 2016

- This phase will focus on locality wide issues, outcomes, indicators and actions and link to the Council's budget and transformation engagement process and City Vision engagement activities.

Phase 2 - February 2017 to early April 2017

- This phase will focus on smaller areas identified to have poorer social, economic and environmental outcomes

A variety of approaches will be used to gather information from stakeholders during the development of each LIP. These will adhere with national Community Engagement Standards and industry good practice. Methods and projects include:

- Council committee Consideration
- City Vision Engagement programme
- Council Budget and Transformation engagement programme 2016
- Open data events – utilising locality profiles
- Hacking events
- Children and young person's engagement
- Edinburgh People Survey 2016
- Employee Engagement
- Place Making Standard tool
- Desk based research including - Edinburgh HSC Strategic Plan engagement; Benchmarking activities; Analysis of locality planning legal duties; Analysis if locality operational performance; and Data Warehouse insight.
- Locality Leadership Team meetings, Community and third sector events, Neighbourhood Partnership Board and Sub Groups meetings

Key Stakeholders

The list below indicates the range of stakeholders, that engagement will take place with, to inform the development of each LIP:

- Elected Members and Council Committees
- Local voluntary sector forums and third party funded providers
- Community Councils
- Community food and energy initiatives
- Neighbourhood Partnership Boards
- Police Operational Management Teams
- Fire and Rescue Management Teams
- Children's services management groups
- Tenants/residents associations and RSLs
- Pupil and parent councils
- Community Improvement Partnerships
- Service Users and Customers
- Communities with poor socio / economic / environmental outcomes
- Communities of Interest
- Partner agency staff
- Elected Members and Committees
- Edinburgh HSC Hubs and Clusters
- Edinburgh Partnership Board
- Major Developers and spatial planners
- Chamber of Commerce local members
- Edinburgh College and University