Item: 12


Electronic Document and Records Management System.

Report by Executive Director of Corporate Services.

1. Purpose of Report
To establish updated governance in relation to development of the Electronic Document Records Management System to enable the Council to comply with the Council’s statutory obligations.

2. Recommendations
The Committee is invited to note:

2.1. That the General Data Protection Regulation, which comes into force on 25 May 2018, will impose a number of obligations on the Council, with key obligations and other key provisions impacting on the Council listed in Appendix 1 to this report.

2.2. That an Electronic Document Records Management System will support compliance by the Council with its statutory obligations in terms of the General Data Protection Regulation.

2.3. That all public authorities in Scotland are required by the Public Records (Scotland) Act 2011 to submit a Records Management Plan to the Keeper of the Records of Scotland for approval.

2.4. That, in 2016 the Council submitted its Records Management Plan, which was approved by the Keeper of the Records of Scotland on the basis that the Council would take further steps to ensure continuing compliance with its obligations in terms of the Public Records (Scotland) Act 2011.

2.5. That a number of steps which the Council is obliged to take in terms of the Records Management Improvement Plan can be achieved and supported through implementation of an Electronic Document Records Management System.
That the original portal project to develop a document management system through the Portal has been suspended due to technical challenges.

That a balance of £61,059 remains within the budget allocated to develop the original portal project, which could be transferred to the new Electronic Document Records Management System project linked to the Office 365 project.

That further elements of the Electronic Document Records Management System project funding will be considered as part of the budget setting process.

That, in February 2017, the Council resolved that, where an earmarked reserve was no longer active and had served its original approved purpose, the fund be wound up with any residual balance returned to the main donor fund.

It is recommended:

That the balance of £61,059 be transferred from the Portal Development Fund to the Office 365/Electronic Document Records Management System project to part fund development of an Electronic Document Management system for the Council.

The proposals in this report support the undernoted Council value:

- Working to Provide Better Services – by better protecting the privacy of service users and members of the public and improving the Council’s use of the information it holds.

On 25 November 2014, the Policy and Resources Committee considered a report on establishing a Portal Development Project. This report noted that the existing SharePoint installation, which is based on the Microsoft SharePoint 2010 platform, was nearing the end of its useable life and is not able to support further developments. It was also noted that a project to update and develop the portal would enable this to become a strategic platform which would enable future service innovation and efficiencies, and better control of key documents and improved data management generally. Although not explicitly named, this describes an Electronic Document Records Management System. The Policy and Resources Committee recommended that the project be approved, at a total cost of £105,400, to be funded from the current Central Administration underspend for financial year 2014 to 2015.
4.2.
The Portal Development Project began and made some progress, but was hindered by a shortage of staff resources. On 21 June 2016, the Policy and Resources Committee recommended to move towards supporting email in the Cloud, and therefore implementation of Office 365 across the Council. As the project to deliver Office 365 was developed it became clear that the more strategic approach would be to bring the Portal Development project and its associated benefits, including document and data management, within the scope of the Office 365 project as a future development phase.

4.3.
Work on the Portal Development project was therefore suspended and the Project Initiation Document for the Office 365 project included a new Intranet as Phase 4, with Electronic Document Records Management System as Phase 5. Part of the initial budget allocation to the Portal Development project required to be applied towards associated staffing and licensing costs. There is a balance of £61,059 remaining in the Portal Development Project fund, and approval is being sought to reallocate this funding towards the cost of the Electronic Document Records Management System. A decision at this stage also provides clear and up to date governance on this matter.

4.4.
On 9 February 2017, the Policy and Resources Committee considered a report on a strategy for managing the Council’s Reserves. The Committee recommended that, where an earmarked reserve was no longer active and had served its original approved purpose, the fund be wound up with any residual balance returned to the main donor fund. The Portal Development Fund is in the position of no longer being active and so in accordance with policy would in normal circumstances revert to the General Fund balance. The Corporate Management Team has identified a requirement for an Electronic Document Records Management System. The remaining balance in the Portal Development Fund could be transferred to contribute to that development.

5. Requirement for an Electronic Document Records Management System

5.1. General Data Protection Regulation

The General Data Protection Regulation will be enforceable as law in the United Kingdom from 25 May 2018. The General Data Protection Regulation sets out Principles relating to:

- Processing of personal data (Article 5 of the General Data Protection Regulation).
- Conditions for the lawfulness of processing of personal data (Articles 6).
• The rights of individuals regarding their personal information (Chapter III of the General Data Protection Regulation) held by data controllers such as the Council.

5.1.1.

Further key obligations and other key provisions impacting on the Council are listed in Appendix 1 to this report.

5.2. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 requires the Council to submit a Records Management Plan to the Keeper of the Records of Scotland for approval. The Council submitted its Plan to the Keeper and this was approved by the Keeper on the ‘Improvement Model’. The Keeper required the Council to make further improvement to its Records Management, including:

• Implementing an Electronic Document and Records Management System.
• Applying business classification to electronic records.
• Ensuring there is an audit trail of the movement and editing of records.
• Ensuring arrangements are in place to securely destroy electronic records where there is no longer a lawful condition for processing.

5.3. The Council’s shared drives

The Council holds over six million documents on its shared drives and much of this information is not structured. As a consequence, in respect of a substantial number of records held in the shared drives:

• It is not possible to identify whether there remains a lawful purpose for the Council retaining the information without separately viewing 6 million documents and there is a risk therefore that the Council will not comply with the General Data Protection Regulation.
• When individuals exercise their rights under the General Data Protection Regulation, it will be difficult to access all the personal information that the Council retains about that individual and there is a risk therefore that the Council will not be able to comply with the General Data Protection Regulation.
• Business classification cannot be applied to the records, no audit trail exists for the documents and it is not possible to identify the date when records should either be destroyed or transferred to the County’ archive service. This means that the Council cannot comply with the Keeper’s requirements to improve the Authority’s management of records.
5.4. Electronic Document Records Management System and complying with the General Data Protection Regulation and the Act

For documents and records stored in an Electronic Document Records Management System it will be possible to apply records management rules. These rules will include business classification of the types of information held by the Council and retention periods. This will provide the necessary information to manage the records in accordance with the General Data Protection Regulation and the Public Records (Scotland) Act 2011.

5.4.1.

It will not be possible or necessary to transfer all the six million documents held in the current shared drive. The contents of the shared drive will be reviewed by the Services. Where it is clear that documents are no longer required they will be destroyed. Documents which are required by the Council for ongoing business processes will be transferred to the Electronic Document Records Management System and the remaining documents will be retained on the shared drive.

5.4.2.

The sections of the shared drives utilised for the storage of these remaining documents will become a read-only archive that will be deleted once the Council has established that there is no business or legal requirement to retain them further.

5.5. Electronic Document Records Management System and Office 365

An Electronic Document Records Management System will facilitate the full roll out of the functionality of Office 365, leading to improved effectiveness of staff and savings. This will include saving staff time searching for documents, allowing staff to work on the same document in a collaborative fashion and the use of Yammer, an in-house social media application.

6. Funding for Electronic Document Records Management System

6.1.

A number of projects to introduce an Electronic Document Records Management System in Scottish local authorities have stalled because insufficient resources were allocated for the work required to fully implement them. Local authorities had underestimated the resources needed to correctly classify the different types of documents and records processed by them and apply the correct rules to those documents and records.
6.2.
To avoid the risk of work of implementing the Electronic Document Records Management System failing, the Council engaged a consultant, who has assisted a number of other Scottish Councils with deployment of Electronic Document Records Management Systems. This consultant has produced a report for the Council that sets out the resources that will be required for the successful deployment of an Electronic Document Records Management System for the Council. Installation of the Electronic Document Records Management System will require one-off funding of up to £95,000 for implementation support and additional staffing costs. In addition, up to £45,000 will be required each year for software licences.

6.3.
It is proposed that the set-up costs will be met partly through the reallocation of £61,059 from the Portal Development Project as set out in section 4.3 above.

6.3.
The purpose of this report is not to secure full funding for this project at this stage as it is recognised that decisions relating to the budget setting process should not be anticipated. The focus of this report is to ensure the correct governance for the transfer of the £61,059 from the Portal Development Fund to the Office 365/Electronic Document Records Management System project. Further elements of the Electronic Document Records Management System project funding will therefore be considered as part of the budget setting process.

7. Financial Implications

7.1.
The report recommends the reallocation of the £61,059 that remains within the Portal Development Fund towards a new Electronic Document Records Management System project.

7.2.
The report includes an estimate for one-off funding for the installation of an Electronic Document Records Management System of up to £95,000 and up to £45,000 annually for software licences. This is a significant annual cost that will require to be managed through existing budgets or receive additional funding through the budget process.

8. Legal Aspects
Development of an Electronic Document Records Management System will improve records management arrangements within the Council. This will support compliance by the Council with its obligations in terms of the General Data Protection Regulation and Public Records (Scotland) Act 2011.
9. Contact Officers

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10. Appendix

Appendix 1: General Data Protection Regulation – selected key provisions.