

ANGUS COUNCIL

RESOURCES AND CENTRAL SERVICES COMMITTEE – 11 MARCH 2004

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 – ESTABLISHMENT OF POST OF RECORDS MANAGER

REPORT BY DIRECTOR OF LAW AND ADMINISTRATION

**ABSTRACT**

This Report recommends the establishment of a post of Records Manager within the Department of Law and Administration, within the budget resources previously agreed by the Council.

**1. RECOMMENDATION**

It is recommended that the Committee agree:-

- (i) to the establishment of a post of Records Manager Grade AP8 within the Department of Law and Administration; and
- (ii) to authorise the Director of Law and Administration to continue to utilise the services of appropriate consultants, as required, to ensure that the Council is in a position to comply with its statutory obligations in respect of records management under the Freedom of Information (Scotland) Act 2002.

**2. BACKGROUND**

Reference is made to Article 12 of the minute of meeting of the Strategic Policy Committee of 9 December 2003 when there was considered a Report detailing progress made by the Council on measures to be taken to ensure compliance with the Freedom of Information (Scotland) Act 2002. The Committee noted the requirements on the Council to make arrangements for the keeping, management and destruction of records and the transfer of historical records to the archive and further noted that this matter would be the subject of a detailed Report at a later date.

**3. RECORDS MANAGEMENT**

In order to comply with its obligations in terms of the Freedom of Information (Scotland) Act it is essential that the Council's records are managed effectively. The Statutory Code of Practice on Records Management approved by the Scottish Parliament on 10 November 2003 states that "any Freedom of Information legislation is only as good as the quality of the records to which it provides a right of access". In terms of Section 61 of the Act all Scottish public authorities must comply with the Code of Practice which sets out arrangements in regard to the keeping, management and destruction of records to ensure that records are being managed effectively.

As the Council does not currently have in place a records management specialist with the appropriate knowledge and expertise to guide the Council in compliance with its records management obligations under the Act, the Director of Law and Administration and Director of Information Technology have obtained advice and assistance from a consultant obtained through SOCITM (Society of Information Technology Management). In liaison with that consultant a job description and person specification for a Records Manager have been drawn up and the Committee is now asked to agree to the establishment of that post within the Department of Law and Administration.

The Freedom of Information Act comes fully into force on 1 January 2005 and there is a considerable amount of work to be done in regard to records management prior to that date. In order to maintain a degree of momentum in this regard it is proposed that some preparatory work on this matter be carried out by the consultant with a view to it then being taken forward further by the postholder once he/she is in post.

**4. FINANCIAL IMPLICATIONS**

The sum of £                    has been included in the corporate initiatives section of the 2004/05 revenue budget to enable this post to be established, and an element of consultancy work procured.

**5. HUMAN RIGHTS IMPLICATIONS**

There are no human rights implications arising from this Report.

**6. CONSULTATION**

This Report has been the subject of consultation with the Chief Executive, the Director of Finance, the Director of Information Technology and the Personnel Services Manager.

CATHERINE A COULL  
Director of Law and Administration

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.

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