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SECTION 1

Foreword by the Deputy Keeper of the Records of Scotland

To the Cabinet Secretary for Culture, Tourism and External Affairs

I am pleased to present this report in my role as Deputy Keeper under the Public Records (Scotland) Act 2011 (the Act). This report sets out what was achieved under the stewardship of the former Keeper, Tim Ellis, during the year ending 31 March 2018.

This year saw the fifth anniversary of the Act coming into force in January 2013. Under the Act, public authorities must submit records management plans for agreement by the Keeper and once agreed, they must implement their plans and keep them under review. Five years down the line, it is an opportunity to pause and reflect on whether we have been successful and met the original aims of changing the culture towards records and improving record keeping across the public sector in Scotland.

This year we passed a significant milestone having invited all of the authorities listed on the original schedule to the Act to submit a plan. We therefore achieved our five year target to invite all 'first tranche' authorities to submit a plan by 2018. Since the Act came into force, we have agreed 209 plans and sent invitations to 223 authorities. By the end of the year, most first tranche authorities' plans had been agreed and we are now turning attention to the second tranche, those added to the schedule since 2013.

This year we passed a significant milestone having invited all of the authorities listed on the original schedule to the Act to submit a plan.

Many plans continue to be agreed under improvement. That reflects the reality of the situation as few authorities have perfect records management arrangements in place. Under the Act, the Keeper cannot revisit a plan until at least five years has elapsed, so the focus is on continuous review and improvement over time. To achieve that, constructive engagement with authorities after their plans have been agreed remains crucial.

The 2017 report recorded that we had developed the Progress Update Review (PUR) mechanism, a new process for assessing improvement models under agreed plans. The PUR is a voluntary annual assessment process, developed in consultation with an invited Stakeholder Forum. It is a flexible tool designed to help the Keeper monitor progress under agreed plans and ensure that improvement actions are being undertaken and that agreed plans remain relevant. It helps promote a culture of improvement through self-assessment, providing authorities with an annual 'health check'. That helps support compliance with the Act and facilitates regular dialogue between the Keeper and authorities.

I am pleased to report that the new tool was rolled out successfully this year and is proving popular with authorities. More than 33 authorities have responded positively, either by submitting a PUR assessment or agreeing to do so. That reflects a positive, open and honest engagement with the new process.

Newly agreed plans show that authorities continue to follow good practice and continue to make a strong commitment towards achieving compliance. The main areas where some improvements remain are for business classification, retention, audit trail, destruction procedures and archival transfer of records of enduring value. Under the PUR process we are working closely with authorities to help them improve on those.

I am pleased to report that the new tool was rolled out successfully this year and is proving popular with authorities.

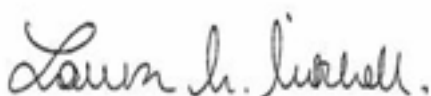
I am pleased to report that again, the Keeper did not find it necessary to use the provisions afforded under section 4 of the Act to return an authority's plan. We maintained our active outreach programme this year. General surgeries about the Act remain as popular as ever and we ran them across Scotland in Aberdeen, Edinburgh, Irvine and Stornoway. We also addressed the growing needs of individual sectors, running five sector-specific events focused on the requirements of Integration Joint Boards and participated in three training events for sheriff court staff. Such events ensure that the Act remains high profile and relevant, and the assessment team visible and approachable.

We also responded to requests for face to face meetings and delivered presentations at conferences and seminars. A paper was delivered at the UK Information and Records Management Society (IRMS) conference held in Glasgow this year. At the conference, two staff from the team were awarded Lifetime Fellowships of the IRMS as recognition of the work done under the Act. These prestigious awards reflect wider peer recognition from across the UK of the important work being done in Scotland.

Our work also attracted interest elsewhere. We were invited to deliver a keynote address about the Act by the Charity Finance Group at the London launch of the 'Records management in charities: a toolkit for improvement'. Such wider recognition within other jurisdictions is encouraging and reflects well on our activities in Scotland.

So to reflect on the wider picture over the last five years, in general it is a positive story where significant improvements have been made in record keeping across many different sectors. We will not rest on our laurels however and will continue to build on the lessons learned. The Act allows that to happen, helping us reach out to practitioners and senior managers and further build trust. With the new PUR review process now in place, the Act remains relevant and an enabler, a mechanism for encouraging positive change and improvement rather than imposing it. It continues in its aims to safeguard and protect people's rights and better secure our collective memory.

Laura Mitchell

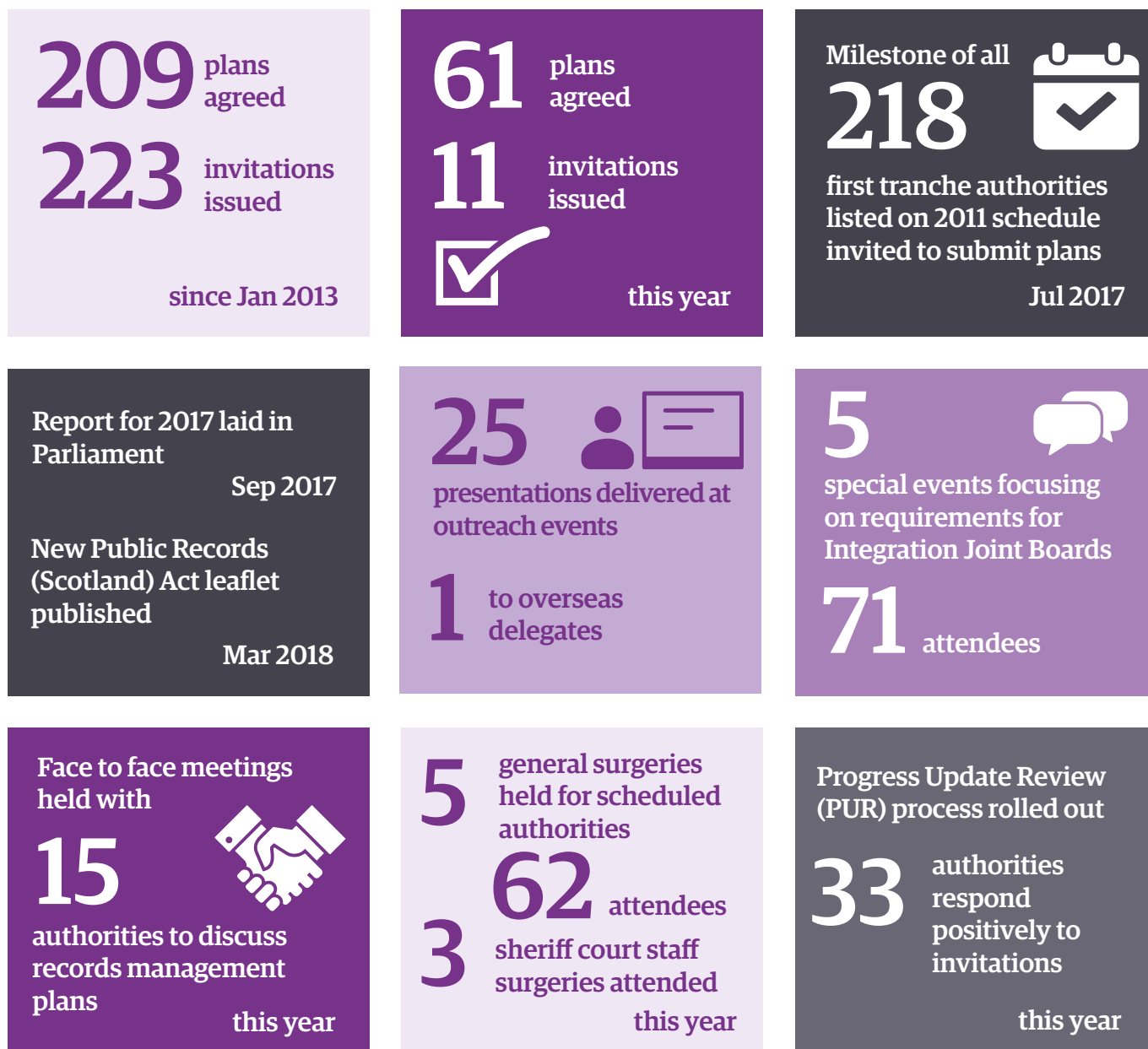


Deputy Keeper of the Records of Scotland

1 October 2018

SECTION 2

Review of the year



▶ April 2017

Records Management Plans agreed for NHS Lothian, Stirling Council and Licensing Board, National Waiting Times Centre Board and the Scottish Road Works Commissioner. Public Records (Scotland) Act 2011 (PRSA) spring surgery held in Edinburgh, attended by 13 representatives. Presentation on PRSA at the NHS Records Management Forum, Golden Jubilee Hospital, Clydebank.

▶ May 2017

Paper on PRSA delivered at the Information and Records Management Society conference, Glasgow. Special surgery for Integration Joint Boards (IJBs), Edinburgh, attended by 29 representatives.

▶ June 2017

Plans agreed for South Lanarkshire Council and Licensing Board, Shetland Council and Licensing Board, ZETrans, Scottish Courts and Tribunal Service, Additional Support Needs Tribunals For Scotland, Court of Session, High Court of Justiciary, Justice of the Peace Advisory Committee for Glasgow and Strathkelvin, Justice of the Peace Advisory Committee for Grampian, Highlands and Islands, Justice of the Peace Advisory Committee for Lothian and Borders, Justice of the Peace Advisory Committee for North Strathclyde, Justice of the Peace Advisory Committee for South Strathclyde, Dumfries and Galloway, Justice of the Peace Advisory Committee for Tayside, Central and Fife, Justice of the Peace Courts, Lands Tribunal for Scotland, Council Tax Reduction Review Panel, Private Rented Housing Panel, Scottish Charity Appeals Panel, Sheriff Courts, Scottish Civil Justice Council, Scottish Sentencing Council, Criminal Courts Rules Council, Scottish Land Court, Safeguarders Panel, North Lanarkshire Council and Licensing Board and Clackmannanshire Council and Licensing Board. First Progress Update Review (PUR) assessment

published, for East Renfrewshire Council and Licensing Board. Keynote address given at launch of 'Records management in charities: a toolkit for improvement', London. Presentation on PRSA to sheriff court staff as part of National Sheriff Court Records Survey, Edinburgh. Meetings with Social Security Scotland and the Water Industry Commission for Scotland.

▶ July 2017

Plans agreed for SESTRan, State Hospitals Board for Scotland and Orkney & Shetland Valuation Joint Board. PUR assessment published for the Keeper of the Records of Scotland and the Registrar General of Births Deaths and Marriages for Scotland. Meetings with the Convener of School Closure Review Panels, Royal Botanic Gardens Edinburgh and the Scottish Courts and Tribunal Service.

▶ August 2017

Plans agreed for Strathclyde Partnership for Transport, Cairngorms National Park Authority, Drinking Water Quality Regulator for Scotland and Scottish Canals. PUR assessments published for Audit Scotland, Auditor General for Scotland and the Accounts Commission for Scotland. Presentation on the PUR process to the NHS Records Management Forum, Edinburgh. PRSA surgery held in Stornoway, attended by 20 representatives. Presentation on PRSA to visiting archivists from Turkey. PRSA representation at the Digital Preservation for Scottish Local Authorities, Aberdeen.

▶ September 2017

Plans agreed for Loch Lomond and The Trossachs National Park Authority, SWestrans and South Ayrshire Council and Licensing Board. Presentation on PRSA, Retention Schedules and Data Protection to an Archives and Records Association Training Day, Dundee. PRSA autumn surgeries held in Edinburgh, Aberdeen and Irvine attended

by 29 representatives. Keeper's 2017 Annual Report to Scottish Ministers laid before Parliament. Meeting with Architecture & Design Scotland.

▶ October 2017

Plans agreed for Scottish Borders Council and Licensing Board, Independent Prison Monitors, Prison Monitoring Co-ordinators, NHS Highland and Tactran. PUR assessments published for the Scottish Government and the Scottish Prison Service. Presentation on PRSA given to sheriff court staff, Glasgow. Meeting with Advisory Council on Messengers-at-Arms and Sheriff Officers.

▶ November 2017

Plan agreed for Creative Scotland. PUR assessments published for Falkirk Council and Licensing Board and the Office of the Scottish Charity Regulator. Paper given at IJB workshop, Glasgow. Meetings with the Independent Living Fund Scotland, Officers of Integration Joint Boards, Police Scotland, TS Prestwick Holdco Ltd (Prestwick Airport) and the Scottish Police Authority.

▶ December 2017

Plans agreed for NHS 24, NHS Western Isles, Scottish Fire and Rescue Service and the Scottish Legal Complaints Commission. PUR assessments published for the Crofting Commission, the Mental Welfare Commission for Scotland, NHS Education for Scotland and Quality Meat Scotland. PUR stakeholders review forum held in Edinburgh. Special surgeries for IJBs, Edinburgh, Glasgow and Dundee attended by 26 representatives. Meeting with the Scottish Government Resilience Division.

▶ January 2018

Plans agreed for NESTRANS and Food Standards Scotland. Presentation on PUR process and the IJBs to the NHS Records Management Forum, Edinburgh. Meetings with TS Prestwick Holdco Ltd (Prestwick Airport), Revenue Scotland and Renfrewshire Council.

▶ February 2018

Plan agreed for Board of Trustees of the National Museums of Scotland. Presentation on PRSA given to sheriff court staff, Inverness.

▶ March 2018

Plan agreed for NHS Shetland. New PRSA leaflet published. Following success of the 2017 events and high demand, new surgeries arranged for 2018.

Map showing locations of PRSA presentations given at conferences, surgeries or other events 2017-18



Organisation/Event	Location	Date
NHS Records Management Forum	Clydebank	25 Apr 2017
PRSA surgery	Edinburgh	27 Apr 2017
Integration Joint Board surgery	Edinburgh	11 May 2017
IRMS conference	Glasgow	22 May 2017
Sheriff court staff surgery	Edinburgh	6 Jun 2017
Launch of charities records management toolkit	London	15 Jun 2017
NHS Records Management Forum	Edinburgh	16 Aug 2017
PRSA surgery	Stornoway	18 Aug 2017
Delegation of Turkish archivists	Edinburgh	22 Aug 2017
PRSA surgery	Irvine	14 Sep 2017
PRSA surgery	Edinburgh	21 Sep 2017
PRSA surgery	Aberdeen	25 Sep 2017
Archives and Records Association training day	Dundee	28 Sep 2017
Sheriff court staff surgery	Glasgow	3 Oct 2017
Integration Joint Board workshop	Glasgow	3 Nov 2017
Integration Joint Board surgery	Glasgow	4 Dec 2017
Integration Joint Board surgery	Dundee	8 Dec 2017
Integration Joint Board surgery	Edinburgh	12 Dec 2017
PUR Stakeholders' Review Forum	Edinburgh	14 Dec 2017
NHS Records Management Forum	Edinburgh	17 Jan 2018
Sheriff court staff surgery	Inverness	5 Feb 2018

SECTION 3

Aims, obligations and assessment



Image courtesy of NHSScotland

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The Public Records (Scotland) Act 2011 (the Act) has been in force since January 2013.¹ The main aim of the Act is to improve the quality of record keeping by named Scottish public authorities. It requires them to prepare, implement and keep under review a records management plan which sets out proper arrangements for the management of their public records. The plan must be submitted to the Keeper of the Records of Scotland (the Keeper) for assessment and agreement.

The origins of the Act can be traced to the findings of the Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995 (*the Shaw Report*), published in November 2007. That report can be found on the Scottish Government's website.²

The Keeper published a Model Records Management Plan and Guidance Document to help authorities understand what is required. These were developed in consultation with a stakeholder forum in 2012. New Proper Arrangements Guidance was published in 2017 to help authorities understand how the Keeper interprets 'an appropriate archive repository' and the necessary steps when archiving records selected for permanent preservation. These documents can be found on the National Records of Scotland (NRS) website.³

The Act requires the Keeper to prepare an annual report for Scottish Ministers to inform them of progress and where any shortcomings are identified to report them openly and honestly.

We publish a rolling programme on the NRS website setting out the timetable for inviting submission of plans. Appearance on the timetable is agreed in advance with an authority and, once submitted, the authority's plan is reviewed by the Keeper's assessment team. The team can be contacted at NRS on 0131 535 1418 or public_records@nrscotland.gov.uk

1 <https://www.legislation.gov.uk/asp/2011/12/contents>

2 <http://www.scotland.gov.uk/Publications/2007/11/20104729/0>

3 <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources>



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The PRSA Assessment Team: (L-R back row) Bruno Longmore (Head of Government Records), Robert Fotheringham, Hugh Hagan; (L-R front row) Pete Wadley, Alison Thomas, Neil Adams.

We passed a significant milestone, inviting all 218 authorities listed on the original schedule to the Act to submit a plan.

Progress

This year saw the fifth anniversary of the Act coming into force. It is therefore an opportunity to reflect on progress made under it.

A total of 61 plans were agreed this year and eight authorities were invited to submit plans. A full list of agreed plans is available in section 4. We passed a significant milestone, inviting all 218 authorities listed on the original schedule to the Act to submit a plan thus achieving our five year target to invite all 'first tranche' authorities to submit a plan by 2018.

Since the Act came into force the Keeper has agreed 209 plans and issued 223 invitations.

Since the Act came into force the Keeper has agreed 209 plans and issued 223 invitations. We are now concentrating on second tranche authorities, or those who were established after the Act came into force in 2013. Those include Integration Joint Boards established under The Public Bodies (Joint Working) (Scotland) Act 2014. We continue to engage and provide assistance to those authorities who have yet to submit a plan.

Updating the Act

Named authorities who come under the Act are listed in the schedule. It was not considered necessary to invoke the Scottish parliamentary process this year to update it, but we started work on identifying any new authorities who are not included on the schedule. Most new authorities are added under their own founding legislation, but some are not. We aim to update the schedule in 2019 and continue to monitor any legislative changes to identify new or redundant public authorities.



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Tim Ellis, Keeper of the Records of Scotland, receives the records management plan of Food Standards Scotland from Elspeth Macdonald, Deputy CEO.

As the five year target date drew closer, there was a reduction in the number of draft plans sent for advance comment. However the standard of submitted plans remained high despite fewer authorities taking up this option.

Most plans continue to be agreed under improvement.

Submission of plans

The assessment team engaged constructively with authorities again this year as they developed plans for submission. The period between invitation and submission of a plan can take up to a year to complete allowing time for considerable dialogue between the team and authorities. As the five year target date drew closer, there was a reduction in the number of draft plans sent for advance comment. However the standard of submitted plans remained high despite fewer authorities taking up this option.

Main issues identified in plans

Areas which continue to require most attention are business classification, retention mechanisms, audit trail and transfer of records of enduring value to an archive. The latter was partly addressed with the publication of the Proper Arrangements Guidance in 2017. The new Progress Update Review (PUR) mechanism will focus on these areas as we consider authorities' self-assessment reports on their improvement plan requirements.

Meaningful engagement throughout the submission process has been successful in delivering robust plans and the quality of evidence submitted in support of them remains high. That reflects well on an engagement process designed to help ensure authorities understand their obligations. The Keeper was not required to use the provisions afforded under section 4 of the Act to return an authority's plan.

Improvement models and assessment of progress

Most plans continue to be agreed under improvement. Few authorities have perfect records management arrangements in place. Under the Act, the Keeper cannot revisit a plan until at least five years has elapsed, so the focus is firmly on continuous review and seeking improvement over time. To achieve that, constructive engagement with authorities after their plans have been agreed remains a crucial process.

Agreeing plans under improvement offers positive evidence that authorities are undertaking frank and honest assessments of their current provision, showing that they are prepared to recognise their own shortcomings. Acknowledging gaps in an authority's records management provision and setting out the planned improvement measures that will be taken, is seen as good records management practice. The Keeper has agreed the majority of submitted plans on this basis.⁴

⁴ <https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/assessment-reports>

PUR therefore helps to promote a culture of improvement through voluntary self-assessment.

Progress Update Review (PUR)

Last year we developed the Progress Update Review (PUR) mechanism, a new process for assessing improvement models under previously agreed plans. Section 5(1)(a) of the Act requires authorities to keep their plans under review. Section 5(1)(b) states that an authority must, if the Keeper so requires, carry out a review of its plan, but in accordance with subsections (2) and (4) the Keeper must not determine a review date which is earlier than five years after the date on which the plan was last agreed.

Both the Keeper and many public authorities recognise that five years is too long a period for the Keeper not to have any engagement with an authority after its plan has been agreed. The PUR was therefore developed, in consultation with an invited Stakeholder Forum, as a voluntary assessment mechanism. It is a flexible tool designed to help monitor progress under agreed plans and assures the Keeper that improvement actions are being undertaken, that agreed plans are reviewed by authorities and that they remain relevant.

The PUR therefore helps promote a culture of improvement through voluntary self-assessment. It provides authorities with an easy to use tool to undertake an annual 'health check' of their records management provision should they wish to use it. Not only does that support compliance with the Act, it also facilitates regular dialogue between the Keeper and public authorities on a non-statutory basis. This helps authorities maintain momentum on agreed improvement plans and ensures that the Keeper is better informed about any progress being made, whilst regulating compliance.



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PUR Stakeholder Forum meeting at General Register House, Edinburgh.

The new PUR tool was rolled out successfully this year and is proving popular with authorities.

The new PUR tool was rolled out successfully this year and is proving popular with authorities. We invited 96 authorities to submit a PUR this year. A high percentage, 33 authorities, took part and submitted an update for assessment. That reflects a positive, open and honest engagement in a process which does not undermine an authority's statutory right under section 5(6) of the Act to revise its agreed plan and submit it to the Keeper for agreement. Rather, it provides authorities with a practical way of establishing at which point their improved or evolving plan is ready for resubmission under this provision. One authority chose to undertake a full resubmission of its plan under section 5(6).

In December 2017, we invited a group of key Stakeholder Forum contacts from authorities who had undertaken a PUR assessment to comment on their experience of the process. They provided valuable feedback, indicating that they considered it to be a positive tool that had allowed them not simply to report on progress against improvements. It allowed them to highlight innovations, new developments and assess any deterioration under previously sound agreed elements. As well as providing an update report to the Keeper, it was considered a valuable tool for internal reporting purposes within their own authorities. The group provided suggestions on how the process may be improved further and these will be assessed and incorporated into any future changes.

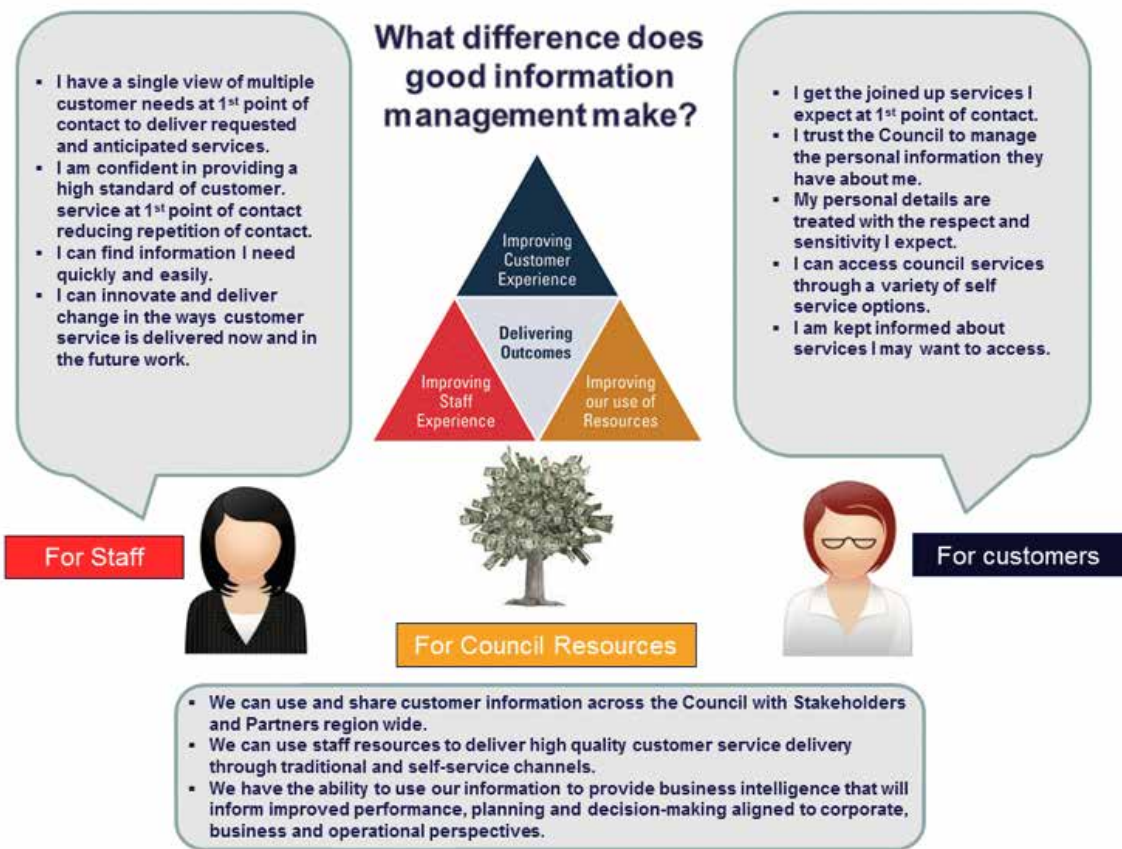


Image courtesy of Aberdeen City Council

Example of information guidance for staff as prepared by Aberdeen City Council.

Assessment reports of all the PUR submissions were published on the NRS website. Regardless of the progress made or the extent of supporting evidence supplied, authorities who participated are commended for their active engagement with this new process. It is hoped that with wider participation, the desire to bring about cultural change in record keeping, which initially inspired the Act, is being realised. In turn, that enables the Keeper to monitor improvements made to wider public record keeping and report more accurately to Scottish Ministers.

► Tim Ellis, former Keeper of the Records of Scotland

“The fifth anniversary of the Act is an opportunity to reflect on the impact it has had on public record keeping in Scotland. While there are undoubtedly still challenges for all, and some patchy performances, I am pleased to see that the overall story of the past few years has been one of positive change and definite improvements being made by public authorities.”

SECTION 4

Engagement



Image courtesy of Clackmannanshire Council

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The principle aim of the Act is to seek to improve records management provision over time. That aspiration continues to be welcomed. Public authorities see this approach as both reasonable and achievable as they continue to engage with the assessment team in a meaningful way. This positive collaboration and joint working across different sectors continues to deliver robust records management plans under the Act.

▶ Lynne Lineen, Director of
Operations, Architecture & Design
Scotland

“We reviewed the effectiveness of our records management in producing our Records Management Plan. We carried out an information audit which concluded that there were pockets of good record keeping and areas where improvement was needed. Developing the plan allowed us to promote the rationale behind good record keeping to staff to ensure we meet our legal requirements and address the business need.”

The feedback received from active engagement with stakeholders means we remain alert to any changes and practical concerns, and we are kept informed of progress made by authorities under the Act. We value this information and use it to review our processes and ensure that future engagement remains relevant and appropriate.

We were not required to update the schedule to the Act this year by means of a Scottish Statutory Instrument (SSI), but we remain vigilant to the creation of new bodies that may need to be added to it. Work is in progress therefore to develop a new SSI and update the schedule in 2019.

Proper arrangements for archiving records under the Act

The Act requires public authorities to have ‘proper arrangements’ in place for the management of their public records. These include the transfer to an archive of records selected for permanent preservation. The Keeper’s supplementary guidance on proper arrangements was published last year and is embedded in the PRSA guidance suite. The guidance helps authorities understand how the Keeper interprets ‘an appropriate archive repository’ and agrees the steps necessary under proper arrangements when archiving records selected for permanent preservation. Supplementary Guidance on Proper Arrangements for Archiving Public Records is available on the PRSA pages of the NRS website.⁵

⁵ <https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources>



PRSA surgery, Edinburgh



IJB surgery, Glasgow



PRSA surgery, Edinburgh



Callanish, Isle of Lewis



PRSA Surgery, Edinburgh



PRSA talk, Inverness



PRSA surgery, Stornoway



PRSA surgery, Irvine

This year we engaged directly with 62 public authority records and information managers at five surgeries held in Edinburgh, Stornoway, Irvine and Aberdeen.

Outreach activities

Outreach remains central to the success of the implementation process. The Act encourages collaboration but the assessment team takes responsibility for facilitating this. Bringing public authorities together to share experience and consider practical records management solutions supports the aims of the Act and helps to deliver tangible benefits for records managers across the public sector. This has become a core activity of the assessment team and one that is greatly valued by authorities.

General surgeries

PRSA surgeries remain a key tool of our outreach strategy. They teach us about the ongoing situation in authorities and help the assessment team to understand better authorities' requirements. Each surgery is different and shaped by the needs of those who attend. They offer an important networking opportunity, ensure that the assessment team remains visible and accessible, and help to ensure that the Act remains high profile across the different sectors.

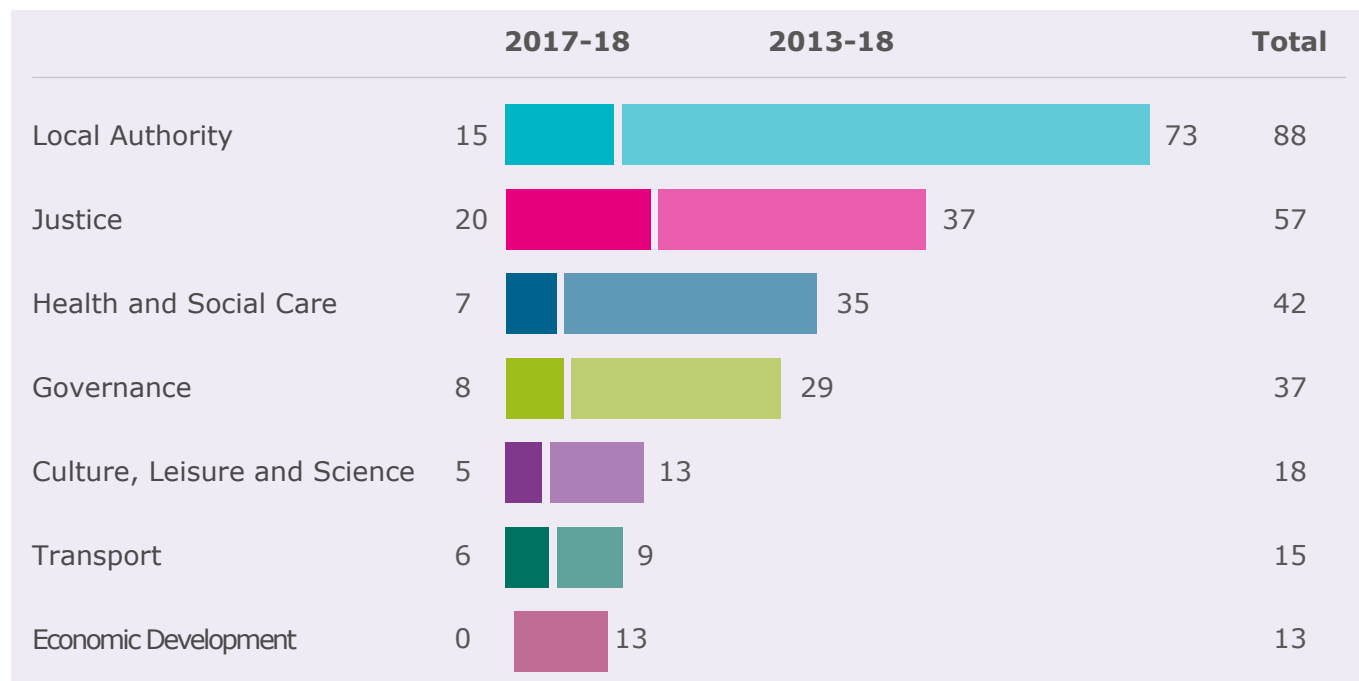
This year we engaged directly with 62 public authority records and information managers at five surgeries held in Edinburgh, Stornoway, Irvine and Aberdeen. The final three surgeries concentrated on promoting the aims and operation of the new Progress Update Review (PUR) mechanism, referred to in section 3, which was rolled out in 2017.

We benefitted from external contributions at both the spring surgeries and express our thanks to Craig Geddes, East Renfrewshire Council and Seonaid Macdonald, Comhairle nan Eilan Siar/Western Isles Council for their contributions. It is reassuring to report that public authority colleagues remain keen to share their experiences, which they find both personally and professionally rewarding.

Promoting the PUR process at surgeries will remain our focus for the foreseeable future, but we will continue to invite outside speakers to share their experiences at surgery events.

Records management plans agreed by sector

A total of 61 plans were agreed in 2017-18 out of 209 plans agreed since 2013



Authority	Date of Agreement	Sector
Additional Support Needs Tribunals For Scotland	05/06/17	Justice
Board of Trustees of the National Museums of Scotland	16/02/18	Culture, Leisure and Science
Cairngorms National Park Authority	01/09/17	Culture, Leisure and Science
Clackmannanshire Council	12/06/17	Local Authority
Clackmannanshire Licensing Board	12/06/17	Local Authority
Council Tax Reduction Review Panel	05/06/17	Justice
Court of Session	05/06/17	Justice
Creative Scotland	01/11/17	Culture, Leisure and Science
Criminal Courts Rules Council	05/06/17	Justice
Drinking Water Quality Regulator for Scotland	09/08/17	Governance
Food Standards Scotland	25/01/18	Governance
High Court of Justiciary	05/06/17	Justice
Independent Prison Monitors	24/10/17	Governance
Justice of the Peace Advisory Committee - Glasgow and Strathkelvin	05/06/17	Justice
Justice of the Peace Advisory Committee - Grampian, Highlands and Islands	05/06/17	Justice

Authority	Date of Agreement	Sector
Justice of the Peace Advisory Committee - Lothian and Borders	05/06/17	Justice
Justice of the Peace Advisory Committee - North Strathclyde	05/06/17	Justice
Justice of the Peace Advisory Committee - South Strathclyde, Dumfries and Galloway	05/06/17	Justice
Justice of the Peace Advisory Committee - Tayside, Central and Fife	05/06/17	Justice
Justice of the Peace Courts	05/06/17	Justice
Lands Tribunal for Scotland	05/06/17	Justice
Loch Lomond and The Trossachs National Park Authority	11/09/17	Culture, Leisure and Science
National Waiting Times Centre Board	05/04/17	Health and Social Care
NESTRANS	25/01/18	Transport
NHS 24	21/11/17	Health and Social Care
NHS Highland	25/10/17	Health and Social Care
NHS Lothian	04/04/17	Health and Social Care
NHS Shetland	08/03/18	Health and Social Care
NHS Western Isles	27/11/17	Health and Social Care
North Lanarkshire Council	08/06/17	Local Authority
North Lanarkshire Licensing Board	08/06/17	Local Authority
Orkney & Shetland Valuation Joint Board	01/08/17	Local Authority
Prison Monitoring Co-ordinators	24/10/17	Governance
Private Rented Housing Panel	05/06/17	Justice
Safeguarders Panel (Part of Scottish Ministers)	28/06/17	Governance
Scottish Borders Council	25/10/17	Local Authority
Scottish Borders Licensing Board	25/10/17	Local Authority
Scottish Canals	24/08/17	Culture, Leisure and Science
Scottish Charity Appeals Panel	05/06/17	Justice
Scottish Civil Justice Council	05/06/17	Justice
Scottish Courts and Tribunal Service	05/06/17	Justice
Scottish Fire and Rescue Service	28/11/17	Governance
Scottish Land Court	05/06/17	Justice
Scottish Legal Complaints Commission	21/12/17	Governance
Scottish Road Works Commissioner	24/04/17	Governance
Scottish Sentencing Council	05/06/17	Justice

Authority	Date of Agreement	Sector
SEStran	14/07/17	Transport
Sheriff Courts	05/06/17	Justice
Shetland Council	02/06/17	Local Authority
Shetland Licensing Board	02/06/17	Local Authority
South Ayrshire Council	13/09/17	Local Authority
South Ayrshire Licensing Board	13/09/17	Local Authority
South Lanarkshire Council	02/06/17	Local Authority
South Lanarkshire Licensing Board	02/06/17	Local Authority
Strathclyde Partnership for Transport	11/08/17	Transport
State Hospitals Board for Scotland	28/07/17	Health and Social Care
Stirling Council	05/04/17	Local Authority
Stirling Licensing Board	05/04/17	Local Authority
SWestrans	23/10/17	Transport
Tactran	31/10/17	Transport
ZETrans	02/06/17	Transport

We believe that demand for surgeries will continue for some time to come. Therefore we will continue to fulfil this requirement and ensure they deliver the best outcomes.

We have run surgeries about the Act for over six years. Most authorities have attended at least one event while a number attend regularly. Events are often over-subscribed and remain popular. We continue to review and update the format of surgeries to meet the changing needs of authorities and address any new challenges faced by them. We also remain mindful of those who may be attending for the first time and need to know more general details about the submission process and their obligations. We believe that demand for surgeries will continue for some time to come. Therefore we will continue to fulfil this requirement and ensure they deliver the best outcomes.



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Seonaid McDonald, Comhairle nan Eilean Siar/Western Isles Council addressing surgery delegates in Stornoway.

We continue to rely on the goodwill of participating authorities to help deliver surgeries. Many supplied venues free of charge, reflecting a continuing commitment to support the engagement process and we are extremely grateful to those authorities for their generosity. The Keeper wishes to thank Aberdeen Council, Comhairle nan Eilean Siar/Western Isles Council and North Ayrshire Council for their support this year.

Continuous engagement

After completing the invitation process for all first tranche authorities, we turned our attention to the new authorities, those created after 2013. We always welcome the opportunity to meet and discuss the Act with public authorities and help those developing plans to achieve a more considered submission.

This year we met with 15 authorities: Social Security Scotland, Water Industry Commission for Scotland, the Convener of School Closures Review Panel, Royal Botanic Garden Edinburgh, Scottish Courts and Tribunals Service, Architecture and Design Scotland, Advisory Council on Messengers-at-Arms and Sheriff Officers, Independent Living Fund Scotland, Integration Joint Boards, TS Prestwick Holdco (Prestwick Airport), Scottish Police Authority, Police Scotland, the Scottish Government Resilience Division, Revenue Scotland and Renfrewshire Council.

The benefits of face to face meetings with public sector colleagues cannot be over-estimated. The Act now provides a mechanism through which we also routinely meet with senior managers as well as practitioners. Advice at these meetings focuses not just on records management issues for practitioners, but on promoting the wider benefits of improved information management to budget holders and policy makers.

Delegates at the PRSA surgery in Irvine.



Progress Update Review (PUR)

The Act continues to be successful in enhancing awareness of the need for appropriate records management provision. That is due in no small way to regular and meaningful communication between the assessment team and key contacts in authorities. As reported in section 3, following a series of consultations with stakeholders, the PUR mechanism was developed as a means of facilitating meaningful and on-going dialogue, to assess progress under agreed improvement models.

▶ John Simmons, Head of
Information Governance, National
Records of Scotland

“The PUR is a practical tool which improves the update process and helps all parties. It eases the burden on both the authorities and the assessors.”

Regardless of whether an authority has achieved its goals under improvement models, or is continuing to work towards them, the PUR process enables it to report and be credited for initiatives it is implementing and any wider progress being effected. Over time, it will allow the assessment team to gauge more accurately what progress is being made across different sectors. By building and enhancing the mutual support established between the Keeper and authorities, the PUR further promotes the aim of Scottish Ministers to change the culture of records management across the public sector in Scotland.

Integration Joint Boards (IJBs)

The Public Bodies (Joint Working) (Scotland) Act 2014 requires health boards and Scottish local authorities to work together to agree a model of integration. In almost all cases health boards and Scottish local authorities opted to delegate responsibility for planning and resourcing service provision for adult health and social care services to an IJB. These are designated Bodies Corporate and have been added to the schedule to the Act. They are therefore obliged to comply with it and will be invited by the Keeper to submit a records management plan for agreement. As authorities with various constituent partners, developing a solution to agree their records management provision under the Act proved complex.

In most cases, IJBs rely on their constituent partner authorities to hold and manage their records. IJB records are managed by the records managers under the separate records management systems of those authorities. An IJB plan must, therefore, accurately reflect this arrangement and be supported by evidence such as their respective partners' operational information policies and procedures. As first tranche authorities, all Scottish local authority and NHS board plans have already been agreed. This will greatly assist the proposed IJB solution.

We hosted five bespoke IJB events in Edinburgh, Glasgow and Dundee, encouraging them to discuss possible solutions, promote and share local ideas and outline plans. The surgeries proved to be very popular with 71 delegates in attendance.

► Stuart McMinigal, Business Support Manager, East Renfrewshire Health and Social Care Partnership

The first IJBs will be invited to submit their plans towards the end of 2018. This year we liaised closely with them to help prepare plans for submission. While most communication took place remotely, we hosted five bespoke IJB events in Edinburgh, Glasgow and Dundee, encouraging them to discuss possible solutions, promote and share local ideas and outline plans. The surgeries proved to be very popular with 71 delegates in attendance.

IJB delegates were keen to know details of what the Act requires them to do, discuss concerns, engage with others, and draw on the assessment team's experience from their work with first tranche authorities. We discussed their proposals for compliance. The surgeries were extremely enjoyable and useful events facilitating lively and constructive debate.

Consideration for an IJB solution also spilled over into general PRSA events. It was the subject of discussion at one of the regular NHS Records Management Forums, held in May 2017, where we delivered a paper on the Act and chaired the discussion. At the request of IJB colleagues from the West of Scotland, a separate workshop was also held in Glasgow in November 2017. Throughout the year, there has been considerable discussion on the detail of proposed plans and common solutions. Those have been both stimulating and constructive, helping to develop a potential solution tailored to the specific needs of this sector.

"I have been tasked with preparing a Records Management Plan for East Renfrewshire IJB. To support this I have attend a number of workshops and meetings with the PRSA assessment team. The support provided by the team has been fantastic and the opportunity to discuss issues with colleagues from other Partnerships has been invaluable."

Conferences and wider talks

We were again invited to participate at a number of key events this year.

In May 2017, we delivered a paper at the Information and Records Management Society (IRMS) annual conference in Glasgow, which attracted delegates from across the world. The conference theme was 'Agents of Change: Driving Business Transformation'. Speakers were invited to consider what it is that we do as records managers that make us agents of change to help drive business transformation. Given the origins of the

Act in the findings of *The Shaw Report* (2007) and the emphasis placed on societal rights, this topic was ideal to deliver a paper to consider how the Act is proving to be a mechanism for change. It emphasised that the Act is an enabler, but that meaningful collaboration and joint working between the regulator and public authorities was key to ensuring measurable and sustainable records management improvement.

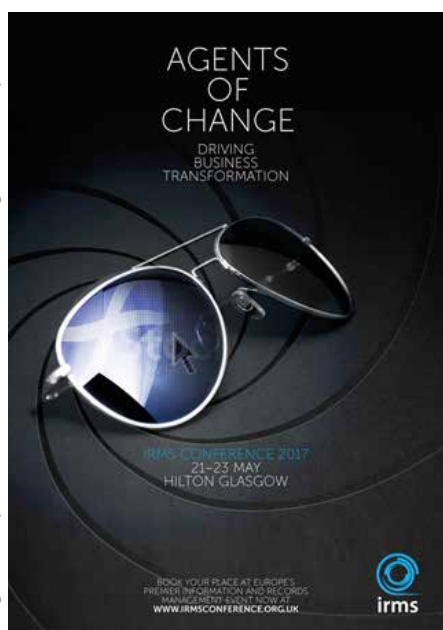
IRMS Fellowship Awards

At the conference two of the Assessment Team received lifetime Fellowships Awards in recognition of their work to improve records management under the Act. IRMS is an internationally recognised body in the field of records and information management. The awards therefore provide an independent view of what impact the Act is having to improve the standard of record keeping in Scotland. They are peer recognition of its wider success and the achievements made.

In June 2017, we were invited to deliver a keynote address at the launch of *Records Management in Charities: A Toolkit for Improvement* at the British Academy in London. The toolkit was produced by the British Academy and University College London Institute of Education research project 'Digitising the Mixed Economy of Welfare in Britain', in partnership with Charity Finance Group.

The new toolkit is designed to help promote the importance of voluntary organisations' archives, provide support and guidance on preservation and digitisation, and build partnerships and promote good practice. The keynote paper was entitled, 'The Public Records (Scotland) Act 2011: It's just about the filing isn't it?'. It discussed traditional attitudes towards record keeping and the low status afforded it until things start going wrong. Drawing on our experience under the Act, the paper reflected on how we are aiming to change the culture of record keeping in Scotland and the improvements being made under the Act. Those will also affect the charitable sector in Scotland. The new toolkit will help to promote those aims.

In September 2017, we gave a paper at an Archives and Records Association Training Day hosted by Dundee City Council Archives. This event considered *Data Protection – The Right to be Forgotten*. It explored the archivist's role in understanding and applying legally sound policies to sensitive data, along with aspects of archives that may not fall under strict data protection criteria, but which may still have an impact on living relatives or associates. The paper considered the importance of the Act in helping public authorities develop robust retention and disposal procedures to satisfy statutory obligations such as those enacted under the General Data Protection Regulations, recently enshrined in UK law in May 2018.



Poster for the IRMS 'Agents of Change' conference, May 2017

Image courtesy of the Information and Records Management Society

We delivered papers at three training events for court staff, funded by the Scottish Courts and Tribunals Service, and led by colleagues in NRS Court Legal and Private Records Branch. The events were held in Edinburgh (June 2017), Glasgow (October 2017) and Inverness (February 2018). These papers looked specifically at the importance of retention scheduling and assuring personal information under data protection and freedom of information legislation. They also showed how good records management is crucial to providing an effective and efficient public service, and safeguarding vital information about individuals thus helping to secure their rights as citizens. The importance of following agreed records management plans under the Act and identifying records of permanent value for transfer to the NRS, also formed an important part of the training.

Post-Shaw Initiatives

The Keeper remains a trustee of the charity Talking Care Scotland (TCS) and supports the aims of the 'Reclaiming Lost Childhoods' (RLC) project. Both stem directly from the findings of *The Shaw Report* (2007). TCS aims to deliver a survivor-led oral history project, while RLC is designed to help care experienced individuals investigate and access information and records about their time in care. While work on developing the aims of these initiatives was slow this year, due to volunteer and funding issues, the Keeper remains enthusiastic in support of the aims of both projects. We will continue to offer professional advice as required.

Last year we reported on the new project 'Back to the Future: creating and sustaining 'living archives' of children's homes in Scotland and Germany'. This project is led by the School of Applied Social Science at the University of Stirling. It was inactive for most of this year awaiting the outcome of a funding application bid. 'Back to the Future' seeks to assist current residents of care trace their records and develop an archive of their experiences there. The Keeper again recognises the potential value of this project and we remain committed to providing it with professional advice and support.

SECTION 5

Reflections on progress and looking forward



Image courtesy of Orkney Council (Debbie Eumson)

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It is clear, that as we engage with the last few authorities under this process, improvement models remain key to ensuring that plans achieve the Keeper's agreement. This demonstrates that authorities take the Act seriously as they continue to engage with the Keeper in an open and transparent way.

The Act continues to drive forward positive change across many different sectors. Good practice is clearly being followed under agreed plans and authorities continue to demonstrate a commitment towards achieving compliance.

It is over five years since the Act was first implemented and this provides a key point to reflect on progress. We achieved the target of inviting all first tranche authorities named under the original schedule to submit a plan under the Keeper's assessment process. It is clear, that as we engage with the last few authorities under this process, improvement models remain key to ensuring that plans achieve the Keeper's agreement. This demonstrates that authorities take the Act seriously as they continue to engage with the Keeper in an open and transparent way.

A number of authorities have willingly published their agreed plans, though there is no requirement for them to do so under the Act. That further supports transparency. We continue to update the list of plans that are available on authorities' own websites, allowing others to make use of them.⁶ This promotes good practice and assists those who are still to submit plans. Key amongst those will be the 31 Integration Joint Boards (IJBs) added to the schedule of named authorities as a consequence of the Public Bodies (Joint Working) (Scotland) Act 2014.

We will continue to take up invitations to participate or address sector-specific records management forums, professional discussion groups or training events. We attended and presented at the NHS Records Management Forum meetings again this year, held in Glasgow and Edinburgh. Colleagues coming together to discuss records management issues for their particular sector or profession is something we will continue to encourage and participate in.

Such engagement provides the assessment team with a welcome opportunity to meet colleagues, hear their concerns and learn of successes. It allows the Keeper to learn about the state of play within various sectors directly from practitioners. It is also encouraging to note that these initiatives are being taken forward without the Keeper's intervention. Workable solutions are being developed and shared by practitioners themselves and we will continue to encourage their development.

We brought the newly established IJBs together over the course of this year to discuss their obligations under the Act. There is definite scope for IJBs to benefit from a sector specific joint discussion group. We will seek to support them in developing such a forum over the coming years.

We continue to work closely with the Information and Records Management Society (IRMS) both at a Scottish and UK level, and with the Scottish Council on Archives (SCA). These professional

⁶ <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/published-records-management-plans-rmps>

Senior managers' acceptance of responsibility is ensuring that the culture of record keeping in Scotland will change for the better.

relationships have grown over the past five years. Our regular engagement has led to ready collaboration and participation at each other's events. This year we delivered a paper about the Act at the IRMS National Conference in Glasgow, affording an opportunity to engage with records and information professionals from across the UK and overseas.

Since the Act came into force the Keeper has agreed 209 plans. That is a great achievement reflecting a strong commitment by the Keeper and authorities towards ensuring that the Act works. We will continue to monitor future progress. Success will be measured by the strength of commitment shown by authorities against their agreed improvement models, assessed under the new Progress Update Review (PUR) process.

The crucial role played by senior managers, who sign-off all agreed plans under Element 1 of the Model Plan, remains key to ensuring that plans are implemented and that progress is maintained under them. They must guarantee plans and support the ambitions that their records managers invest in them. It remains clear that the responsibility the Act places on senior managers not only helps secure their buy-in, but has also led to direct engagement with the assessment team. We welcome that engagement and will continue to support senior managers in their role as guarantors of agreed plans.

By committing to implement good records management practice in the future, senior managers will help assure ultimate success for the Act. Agreed plans show that senior managers' acceptance of responsibility is ensuring that the culture of record keeping in Scotland will change for the better.

► Stewart Adams, CEO, Glasgow
Prestwick Airport

"Good records management ... enables achievement of our key Strategic Objective of being Continually Compliant and Staying Safe, Secure and Sustainable. This will be achieved by the appropriate use of technology and the management of information, records and archives using both electronic and paper systems."

The Act is also helping to support proper archive provision. The Proper Arrangements Guidance published in September 2016 has been used to good effect by archive and records management colleagues across the sector. This guidance provides authorities with clear direction on how to ensure that records of enduring value are permanently preserved. It is valuable guidance that adds strength to cases made to senior managers for support with regard to archive provision within their own authority. It also assists when considering how an archive service might provide them with a robust solution under Element 7 of the Keeper's Model Plan.

From discussions with stakeholders and formal feedback responses at surgeries, it is clear that the Keeper's strategy of proactive engagement is welcomed. It remains fundamental to the positive outcomes we have achieved over the last five years. Looking for continuous improvement and measurable progress over the longer term is seen as a reasonable goal. It is also a message that encourages senior managers to commit to improving the management of public sector information. We will continue to promote this message over the coming years.

There is a danger that after five years, authorities may take the view that agreement of their plan equates to 'job done'. It is imperative therefore that we ensure authorities keep their plans under review, as set out under section 5(1) of the Act. Agreed plans would become meaningless should they fail to be reviewed regularly and adapted to changing business needs. The Act must not falter therefore and the Keeper's expectation of progress made over time is both reasonable and manageable, and key to supporting its continuing success. We will encourage authorities to keep their plans under review.

Ensuring that progress is maintained will be a priority for the assessment team in the years ahead. The PUR mechanism is central to achieving that objective. As reported in section 3, the PUR was developed in collaboration with stakeholders. It therefore reflects a workable joint solution, reflecting the wishes of authorities to ensure that record keeping remains visible and a high priority within their organisations.

Stakeholders viewed the PUR mechanism as a way of gaining acknowledgement and recognition from the Keeper for ongoing work being reported to managers under their own internal review procedure. They wanted to raise external awareness of the important proactive improvements and good records management practice they had adopted. The PUR assessment process satisfies this need in full and will help to embed the review of records management arrangements as a routine action within authorities. We will ensure that the PUR process is used effectively over the coming years.

Stakeholders viewed the PUR mechanism as a way of gaining acknowledgement and recognition from the Keeper for ongoing work.

The invitation process to second tranche authorities will be our priority next year. Authorities added to the Schedule after 2013 will be invited to submit their plans for agreement. As with first tranche authorities they will need to engage with the assessment team for help and advice, and we will assist them through that process. We will ensure that the remaining first tranche authorities complete the assessment process and, with assessment team advice and guidance, be encouraged to start the annual PUR submission process.

Next year we will continue to identify new authorities that should be included under the schedule to the Act, last updated under The Public Records (Scotland) Act 2011 (Authorities) Amendment Order 2015. We have already started this process and will seek to develop a new SSI to update the Act in 2019.

We will continue to listen to authorities and support them as they develop their plans or review them under the PUR process. We will also continue to improve our own guidance and procedures. To that end, the Keeper will review the Model Records Management Plan prepared and published under section 8 of the Act and update the supporting Guidance published to help public authorities prepare their own plans. It is an appropriate point to consider this, as most authorities have completed a plan using the original Model Plan.

Next year the Keeper will convene a Stakeholder Forum and invite information specialists from various sectors to conduct the necessary review work. Drawing on their expertise and the assessment team's own experience over the last five years, the Forum will help the Keeper to revise and update the Model Plan. The revised Model Plan will then be submitted to public consultation in the autumn of 2018. The Keeper will consider all consultation responses and publish a final version in 2019. We will also consider whether a one-day PRSA conference, delivered in collaboration with professional representative bodies, might offer an appropriate platform to launch the revised Model Plan.

We will run more general surgeries next year to meet the continuing demand from authorities. Surgeries will address both the needs of those who have yet to submit their plans and inform new staff appointed as key contacts in authorities whose plans have already been agreed. They will act as a networking opportunity to promote good record keeping, raise awareness and improve skills. We will also use them to discuss the PUR process and seek to embed it as a routine self-assessment opportunity across the sector.

We will host a small number of more focused events to address sector-specific requirements or promote the development of new groups within authorities, for example IJBs. We will continue to take part in records and archive specialist seminars, and participate in professional conferences or other relevant speaking engagements.



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Hugh Hagan and Neil Adams discussing the Progress Update Review at PRSA Surgery in Irvine.

We will continue to work with colleagues across all sectors to ensure that the enabling power of the Act endures. Its success to date was a result of active and meaningful engagement with stakeholders which resulted in a strong relationship being developed between the Keeper and authorities. We have a very real sense of a confident, professional, vibrant community working together and using the legislation to implement change and achieve wider records management improvements. We will ensure that these relationships are maintained and that authorities are supported in their efforts to deliver lasting improvements.

We will ensure that these relationships are maintained and that authorities are supported in their efforts to deliver lasting improvements.

We remain some way short of completing the journey to achieving the best possible records management practice across Scotland's public sector. However, the enabling power of the Act has been used to good effect over the last five years. Good practice is now being followed in many authorities and evidence suggests that this is growing. Significant improvements have certainly been achieved in many areas.

While there are undoubtedly still challenges, the overall story of the past few years has been one of positive change and definite improvements made by public authorities.

Senior managers are increasingly aware of their responsibilities and understand the importance of good records and information governance, particularly with the passing of General Data Protection Regulations into UK law. Records managers are also considerably more visible within their own authorities. Their positive engagement with the assessment team, the drive to draw on their expertise, and the quality of plans being submitted for agreement is encouraging for the future.

While there are undoubtedly still challenges, the overall story of the past few years has been one of positive change and definite improvements made by public authorities. By continuing to work closely with them, we are closer to fulfilling Scottish Ministers' aims for the legislation, namely to change the culture of record keeping in Scotland. Better records and information management will support more transparent governance and provide more efficient and effective administration. Perhaps most importantly, improving records management will safeguard the rights of Scotland's citizens.

Image courtesy of North Lanarkshire Council



Records store in North Lanarkshire Council.

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