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SECTION 1

Foreword by the Keeper of the Records of Scotland

To the Cabinet Secretary for Culture, Tourism and External Affairs

I am pleased to present this, my first report as Keeper of the Records of Scotland, under the Public Records (Scotland) Act 2011 (the Act). This report sets out what was achieved in the reporting year from 1 April 2018 to 31 March 2019, firstly under the stewardship of the Deputy Keeper of the Records of Scotland and from December 2018 under mine.

The Act requires public authorities to submit records management plans for my agreement and once agreed, these must be implemented and regularly reviewed.

Since the Act came into force we have agreed 222 plans and sent invitations to 256 authorities. 2018 saw us concentrate on the bodies added to the schedule since 2013, principally, but not exclusively, Integration Joint Boards (IJBs).

The Progress Update Review (PUR) mechanism, which was a pilot programme in last year's report, was formally rolled out this year. The PUR provides authorities with a mechanism for assessing improvements agreed under their RMPs, but it also helps provide the necessary intelligence to track progress that allows me to accurately update Scottish Ministers. It further serves to keep records management visible to senior managers across the public sector and facilitates regular dialogue between the Keeper and authorities.

I am pleased to report that PUR is proving popular with stakeholders and has exceeded our expectations. To date, we have reported on 93 PUR submissions and feedback has been very encouraging. Most pleasing, is the opportunity it affords us to direct specific advice and guidance to those records management arrangements that are proving most challenging, like business classification, retention, audit trail and archiving.

I am pleased to report that PUR is proving popular with stakeholders and has exceeded our expectations.

The PUR mechanism also allows authorities to assess whether their plan may benefit from a formal re-submission under Section 5(6) of the Act. I am pleased to report that two authorities chose to invoke this section of the legislation this year, which is a positive development and an indication of the Act being embraced by authorities.

I am pleased to report that again, I 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, including general and more targeted surgeries about the Act, delivering eight events in Glasgow, Falkirk, Elgin, Paisley and Edinburgh. The Glasgow surgery was designed specifically for IJB colleagues. Our surgeries are greatly valued by stakeholders and help to ensure the Act remains high profile and the assessment team is visible and approachable.

We continued to respond to requests for face-to-face meetings with authorities and we gave presentations at conferences and seminars. We delivered a paper to the Centre for Archives and Information Studies event, 'Investigating the Archive: Memory, Identity, Trust', which attracted delegates from across the world.

In addition to our core activities around assessment and outreach, this year we decided it was time to take stock, with the specific aim of reviewing the Model Records Management Plan. A Stakeholder Forum was convened to draft a new Model Plan and a formal Scottish Government consultation process helped gain wider comment on the draft proposal. The new plan launches in the Summer of 2019.

Our surgeries are greatly valued by stakeholders and help to ensure the Act remains high profile and the assessment team is visible and approachable.

This year's story of the implementation process is a positive one. We are encouraged by the popularity of the PUR mechanism and by the opportunity it is providing us all to promote and measure improvement. Our Stakeholder Forum, convened to review the Model Records Management Plan was also an excellent exercise in joint working that will, in due course, deliver a new Model Plan. We will continue to collaborate and reach out to practitioners and senior managers across the Scottish public sector to the benefit of the Act. We will continue to build trust by working collaboratively to support improvement, ensure the Act helps safeguard people's rights and better secures our collective memory.

Paul Lowe



Keeper of the Records of Scotland

1 October 2019

SECTION 2

Review of the year

222 plans agreed
256 invitations issued

since Jan 2013

13 plans agreed
33 invitations issued

 this year

3 authorities who re-submitted plans under Section 5(6) of the Act and had them agreed

this year

Progress Update Review (PUR) process continues to be rolled out

194 authorities invited to take part

this year

67 authorities receive final report from the Keeper's assessment team

258% increase on previous year

30 invitations to submit issued to Integration Joint Boards

16 Integration Joint Boards have submitted their plans

Face-to-face meetings held with

8  authorities to discuss records management plans

this year

7 general surgeries held for scheduled authorities

113 attendees

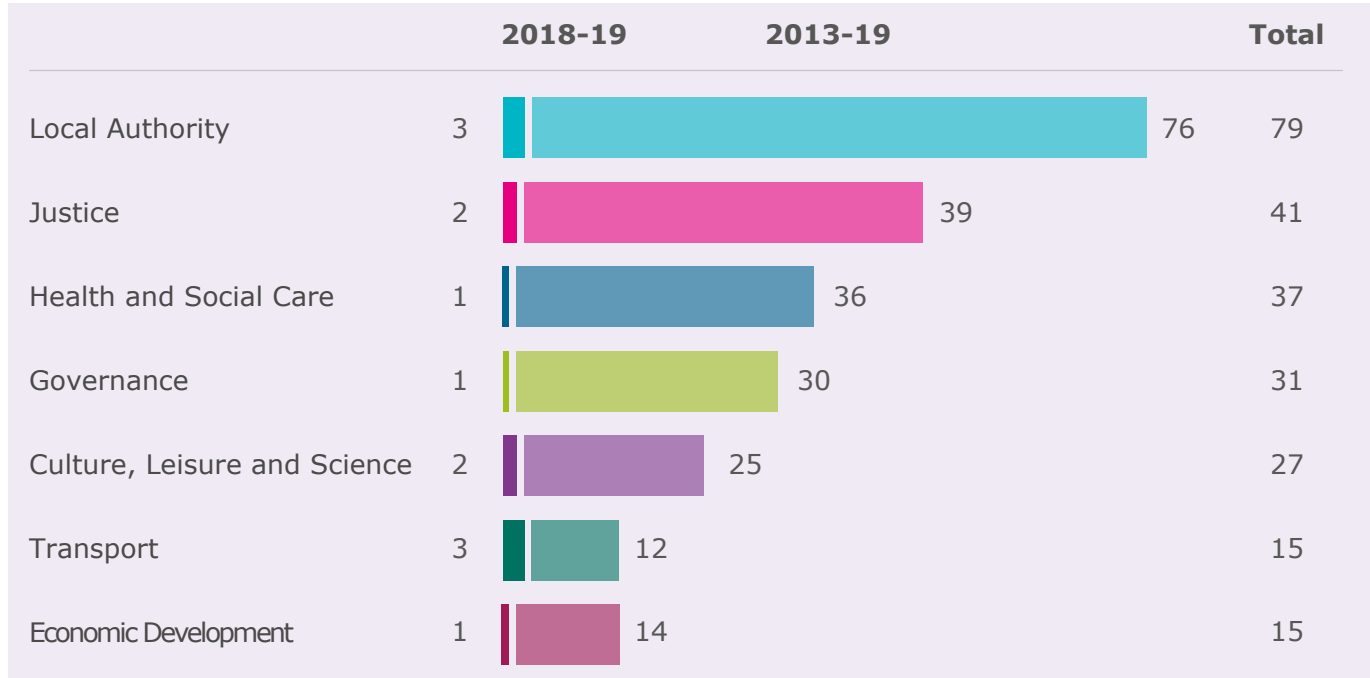
1 Integration Joint Board surgery **14** attendees

8  presentations delivered at outreach events

1 to overseas delegates

Records management plans agreed by sector

A total of 13 plans were agreed in 2018-2019 out of 222 plans agreed since 2013



Authority	Date of Agreement	Sector
Architecture and Design Scotland	07/06/2018	Culture, Leisure and Science
Central Scotland Valuation Joint Board	28/06/2018	Local Authority
Community Justice Scotland	27/03/2019	Justice
Crown Estate Scotland	27/03/2019	Economic Development
Dumfries and Galloway Council	14/01/2019	Local Authority
Dumfries and Galloway Licensing Board	14/01/2019	Local Authority
General Teaching Council for Scotland	07/06/2018	Governance
Highlands and Islands Transport Partnership (HiTrans)	28/06/2018	Transport
Historic Environment Scotland	07/06/2018	Culture, Leisure and Science
NHS Grampian	19/09/2018	Health and Social Care
Scottish Police Authority	12/07/2018	Justice
South West of Scotland Transport Partnership (SWestrans)	14/01/2019	Transport
TS Prestwick Holdco. Ltd (registered number SC462050)	04/10/2018	Transport

PUR Final Reports sent to authorities, 2018-2019

Authority	Final Report sent to CEO/SO	Sector
Accountant in Bankruptcy	12-Dec-18	Governance
Accounts Commission for Scotland	27-Sep-18	Governance
Angus Council	09-Jan-19	Local Authority
Angus Licensing Board	09-Jan-19	Local Authority
Audit Scotland	27-Sep-18	Governance
Auditor General for Scotland	27-Sep-18	Governance
Ayrshire Valuation Joint Board	12-Jul-18	Local Authority
Board of Trustees for the National Galleries of Scotland	21-Nov-18	Culture, Leisure and Science
Chief Dental Officer of the Scottish Administration	12-Dec-18	Health and Social Care
Chief Medical Officer of the Scottish Administration	12-Dec-18	Health and Social Care
Commissioner for Ethical Standards in Public Life in Scotland	12-Sep-18	Justice
David MacBrayne Ltd	29-Aug-18	Transport
Disclosure Scotland	12-Dec-18	Governance
Drinking Water Quality Regulator for Scotland	12-Dec-18	Governance
Dunbartonshire and Argyll and Bute Valuation Joint Board	19-Dec-18	Local Authority
East Renfrewshire Council	18-Mar-19	Local Authority
East Renfrewshire Licensing Board	18-Mar-19	Local Authority
Highland Council	15-Aug-18	Local Authority
Highland Licensing Board	15-Aug-18	Local Authority
Highlands and Islands Airports Ltd	14-Mar-19	Transport
HM Chief Inspector of Prisons	12-Dec-18	Justice
HM Fire Service Inspectorate for Scotland	12-Dec-18	Governance
HM Inspector of Anatomy for Scotland	12-Dec-18	Culture, Leisure and Science
HM Inspectorate of Constabulary in Scotland	12-Dec-18	Justice
Independent Prison Monitors	12-Dec-18	Governance
Lanarkshire Valuation Joint Board	26-Sep-18	Local Authority
Lothian Valuation Joint Board	23-Nov-18	Local Authority
Mobility and Access Committee for Scotland	12-Dec-18	Governance
National Waiting Times Centre Board	08-Feb-19	Health and Social Care

Authority	Final Report sent to CEO/SO	Sector
NHS Ayrshire and Arran	04-Oct-18	Health and Social Care
NHS Lanarkshire	16-Aug-18	Health and Social Care
North Ayrshire Council	17-Oct-18	Local Authority
North Ayrshire Licensing Board	17-Oct-18	Local Authority
Parole Board for Scotland	12-Dec-18	Justice
Prison Monitoring Co-ordinators	12-Dec-18	Governance
Renfrewshire Council	10-Oct-18	Local Authority
Renfrewshire Licensing Board	10-Oct-18	Local Authority
Renfrewshire Valuation Joint Board	01-Aug-18	Local Authority
Risk Management Authority	03-Jul-18	Justice
Safeguarders Panel	12-Dec-18	Governance
Scottish Agricultural Wages Board	12-Dec-18	Governance
Scottish Commission for Public Audit	22-Feb-19	Governance
Scottish Government	12-Dec-18	Governance
Scottish Housing Regulator	20-Sep-18	Governance
Scottish Parliament	22-Feb-19	Governance
Scottish Parliamentary Corporate Body	22-Feb-19	Governance
Scottish Public Services Ombudsman	29-Aug-18	Governance
Scottish Qualifications Authority	08-Feb-19	Economic Development
Scottish Sports Council (sportscotland)	08-Jan-19	Culture, Leisure and Science
SESTran South East of Scotland Transport Partnership	29-Mar-19	Transport
Shetlands Islands Council	22-Feb-19	Local Authority
Shetlands Islands Licensing Board	22-Feb-19	Local Authority
South Lanarkshire Council	20-Mar-19	Local Authority
South Lanarkshire Licensing Board	20-Mar-19	Local Authority
Standards Commission for Scotland	08-Feb-19	Governance
Stirling Council	23-Nov-18	Local Authority
Stirling Licensing Board	23-Nov-18	Local Authority
Student Awards Agency for Scotland	12-Dec-18	Governance
Tayside Valuation Joint Board	15-Nov-18	Local Authority
The National Library of Scotland	09-Jan-19	Culture, Leisure and Science
Transport Scotland	12-Dec-18	Transport

Authority	Final Report sent to CEO/SO	Sector
Water Industry Commission for Scotland	03-Jul-18	Economic Development
West Dunbartonshire Council	19-Sep-18	Local Authority
West Dunbartonshire Licensing Board	19-Sep-18	Local Authority
West Lothian Council	02-May-18	Local Authority
West Lothian Licensing Board	02-May-18	Local Authority
ZetTrans	22-Feb-19	Transport

Presentations on Act delivered at meetings and events, 2018-2019

Organisation	Location	Date
Centre for Archive and Information Studies Conference	Dundee	25-Apr-18
NHS Records Management Forum	Edinburgh	17-May-18
PRSA Surgery	Falkirk	23-Apr-18
PRSA Surgery	Edinburgh	24-Apr-18
Integration Joint Board Surgery	Glasgow	01-May-18
PRSA Surgery	Edinburgh	22-Jun-18
NHS Records Management Forum	Edinburgh	18-Sep-18
PRSA Surgery	Elgin	21-Sep-18
Icelandic Regional Archivists	Edinburgh	24-Sep-18
PRSA Surgery	Edinburgh	25-Sep-18
Fife Council Archives	Glenrothes	22-Nov-18
IRMS Scotland Meeting	Glasgow	28-Nov-18
ModernGov Conference	Edinburgh	06-Dec-18
NHS Records Management Forum	Edinburgh	17-Dec-18
Glasgow University Postgraduate Archive Course	Glasgow	15-Mar-19
PRSA Surgery	Edinburgh	26-Mar-19
PRSA Surgery	Paisley	28-Mar-19

SECTION 3

Aims, obligations and assessment



Image courtesy of Falkirk Council

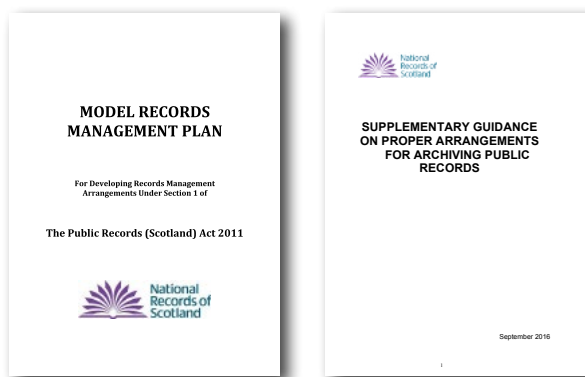
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The origins of the Act can be traced to the findings of the Historical Abuse Systemic Review: Residential Schools and Children’s Homes in Scotland 1950-1995 (the Shaw Report), published in November 2007. That report can be found on the Scottish Government’s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

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 (Model Plan) and Guidance Document to help authorities understand what is required. These were developed in consultation with a stakeholder forum in 2012. The forum was reconvened in July 2018 to review and update the Model Plan and, following a formal Scottish Government consultation, a new Model Plan will be published in the summer of 2019. The Guidance Document that accompanies the Model Plan and helps stakeholders understand what is required under each element of the Model Plan will be updated once the new Model Plan is operational. The Keeper’s Model Plan and Guidance and his Proper Arrangements Guidance, published in 2017, are 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. The Act provides the Keeper with authority under Section 4 to return a plan where he considers it does not meet his proper arrangements requirements, but he is pleased to report it was not necessary to invoke this power.

1 <http://www.legislation.gov.uk/asp/2011/12/part/1/enacted>
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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Historic Environment Scotland with their Records Management Plan agreed by the Keeper in June 2018.

Since the Act came into force the Keeper has agreed 222 plans and issued 256 invitations.

Plans agreed

A total of 13 plans were agreed this year and 33 authorities were invited to submit plans. Since the Act came into force the Keeper has agreed 222 plans and issued 256 invitations.

Updating the Act

Named authorities that must comply with the Act are listed under a schedule. This was last updated in 2015. Most new bodies are added to the schedule under their own founding legislation, but not all. The process to update the schedule to include authorities not automatically added will begin in the Spring of 2020.

Main issues identified in plans

The 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 Keeper's Proper Arrangements Guidance. It is hoped the new Model Plan when it is published will similarly address issues identified under all other elements.

The Progress Update Review (PUR) mechanism, co-produced with stakeholders and established formally in 2018, is facilitating meaningful engagement and is valued by the Keeper and stakeholders alike.

Improvement and progress

The Keeper's focus remains firmly on continuous improvement. He regards an authority's acknowledgement of gaps in its records management provision and planned improvement measures, as good records management practice. He cannot revisit a plan under the legislation until five years has passed since it was last agreed. Ongoing constructive engagement with authorities is therefore crucial. The Progress Update Review (PUR) mechanism, co-produced with stakeholders and established formally in 2018, is facilitating meaningful engagement and is valued by the Keeper and stakeholders alike. It provides the Keeper with vital information on progress and the impact of the Act. Crucially, it helps stakeholders identify changes and improvements in their record keeping arrangements, whilst maintaining records management visibility with their senior management.

The Keeper's assessment team liaises with named authorities over the development, submission and assessment of their proposed plans. The team can be contacted at NRS on 0131 535 1418 or public_records@nrscotland.gov.uk



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The PRSA assessment team: (L-R back row) Elspeth Reid, Robert Fotheringham, Andrea 'Andy' Wells (L-R front row) Hugh Hagan, Gillian Mapstone (Head of Records and Archives and Engagement, NRS), Pete Wadley

SECTION 4

Engagement



Image courtesy of NHS Scotland

04

The Keeper continues to implement the Act in a way that seeks to improve public sector records management over time. This is viewed by public authorities as a reasonable and achievable approach and it is, therefore, helping to support meaningful engagement and more robust records management plans under the Act.

General surgeries



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PRSA General Surgery Falkirk April 2018.

The surgeries we run to promote the implementation process bring our colleagues from across the public sector together to share experiences and learn from each other. These events provide us with invaluable intelligence on successes and achievements, but also help identify the issues that continue to challenge colleagues. We use this feedback to better plan and shape future engagement and to ensure that engagement remains relevant and appropriate.

► Annette Greening, DP &IM,
Glasgow Prestwick Airport Ltd.

“Glasgow Prestwick Airport were new to the public sector and as such the help and support the PRSA assessment team provided was invaluable. The surgeries played a key role in offering advice and guidance in order that we could achieve formal agreement of our plan. Their support was also extremely helpful with regard to achieving buy in from our senior management.”

This year we engaged directly with 67 public authority records and information managers at eight surgeries held in Edinburgh, Falkirk, Elgin, Paisley and Glasgow.

Surgeries offer practical advice, networking opportunities, ensure the assessment team remains visible and accessible to colleagues, and help to maintain a high profile for the Act across authorities. They therefore remain central to our outreach strategy. Demand for surgeries continues to be high and we will continue to meet and foster this demand.

This year we engaged directly with 67 public authority records and information managers at eight surgeries held in Edinburgh, Falkirk, Elgin, Paisley and Glasgow.

Special surgeries

Responding to the quite specific needs of colleagues from Integration Joint Boards, the team developed and delivered an IJB surgery in Glasgow in the Spring of 2018. This brought the team together with new PRSA stakeholders and facilitated the exploration of the issues and challenges this group faced.



Integration Joint Board Special Surgery, Glasgow, May 2018



PRSA surgery Edinburgh, April 2018



Stakeholders Forum Motherwell, October 2018



Understanding Modern Government conference, December 2018



North Lanarkshire Heritage Centre



Stakeholders Forum Edinburgh, August 2018



Stakeholders Forum Edinburgh, July 2018



PRSA surgery Edinburgh, April 2018



Stakeholders Forum Edinburgh, August 2018

Images 10 – 16 (Crown Copyright), Image 17 Courtesy of Culture NL

Reviewing the format and content of surgeries is important, and we will continue to develop and deliver targeted surgeries to meet stakeholders changing needs. Now that the Act has been in operation for five years new colleagues have joined the PRSA journey. Alert to their quite specific needs we made preparations this year to host surgeries in 2019 aimed at helping them understand the background to the Act and the obligations it places on their authorities.

Outreach activities

Bringing public authorities together to draw on shared experiences and co-produce solutions has delivered tangible benefits. It is now a core activity of the assessment team. This year the reconvened Stakeholder Forum reviewed the Keeper's Model Records Management Plan, which is recorded at pages 21 and 22.

We continue to rely on participating authorities to help us deliver events by providing us with venues to enable our assessment team to get out and about to engage with colleagues. We are extremely grateful for the continuing generosity and hospitality of public sector colleagues in what are very challenging times. The Keeper wishes to thank Falkirk Council, Glasgow City Council and Moray Council for their support this year. It is also the case that our work benefits from the experience and knowledge of records management consultant colleagues working in Scotland, not only in the public sector but across the private and third sectors. This year we engaged with Heather Jack, HJBS Ltd, Frank Rankin, infogov.scot, Kirstine Fergusson, KFGovernanceSolutions Ltd and Liz Taylor, TKM Consulting, to help ensure the Stakeholder Forum comprehensively addressed the issue of records created by third party organisations. The Forum further benefited from the expert input of John Simmons, Information Governance Manager, NRS and Meic Pierce Owen, Records Manager, Fife Council. We are grateful to these colleague for contributing freely of their time and expertise.

In November we visited, by invitation, the new Fife Council archive and records management store. As well as having an opportunity to view the splendid new facility, we engaged with staff to discuss the Council's records management arrangements in relation to the authority's agreed plan, and to learn about the ambitions of the authority in developing further records management improvements.



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PRSA Team visits Fife Council's archive and records management store

Continuous engagement

We continue to meet and discuss the Act with public authorities on a one-to-one basis, or in small groups, and to work closely with those developing plans for submission.

This year we met with a number of authorities including East Dunbartonshire Integration Joint Board, Dundee City Council, Crown Estate Scotland (Interim Management), Forestry and Land Scotland, Scottish Law Commission, Renfrewshire Council, NHS Lanarkshire, Social Security Scotland and Caledonian Maritime Assets Limited. The benefits of such meetings cannot be overstated. It allows the assessment team to engage directly on records management issues and to learn about the specific challenges faced by colleagues in those authorities. It can often provide us with a vital opportunity to promote good records management practice to senior managers who find it easier to attend if the meeting is on their premises and can be organised around their schedule.

2018 marked five years since the Act was introduced. The Keeper took the view that this was therefore an appropriate time to review his Model Records Management Plan to ensure it continued to meet the needs of stakeholders.

Keeper's Model Records Management Plan Review

2018 marked five years since the Act was introduced. The Keeper took the view that this was therefore an appropriate time to review his Model Records Management Plan to ensure it continued to meet the needs of stakeholders.

A Stakeholder Forum, consisting of information specialists invited from various sectors, was convened to conduct the review. It was necessary to limit the number of colleagues and authorities invited to participate in the Forum, but all public sector colleagues were encouraged to engage with the work of the Forum remotely. A record of the Forum proceedings was published to the NRS website for access and comment.

The Forum looked at all elements and aspects of the current Model Plan. It sought to tighten up some of the language used throughout the plan, to amend terms and phrases that stakeholders considered were not entirely clear, and it considered where the revised plan might benefit from reference to new data protection legislation. It also, however, set out to address two particular aspects of wider record-keeping under the Act. It debated how the Model Plan might best articulate and reinforce the existing obligation on a public authority to ensure third-party 'contractors', carrying out functions on behalf of an authority under s.3(2) of the Act, have appropriate records management arrangements in place. It also considered to what extent an agreed records management plan might contribute to evidence of compliance under the new data protection legislation.



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PRSA Stakeholders consider the development of the Keeper's new Model Plan.

► Anne Cogle, Records Management Practitioner, Shetland Islands Council

Forum members met three times between July and October 2018 and these sessions were led by the assessment team, but also by colleagues from across the public and private sector.

“The establishment, membership and utilisation of the Stakeholder Forum by the Keeper in the formulation of the new Model Plan has ensured that those elements of the current Plan which may have been considered ambiguous or non-specific, have been addressed by information management practitioners, and the Keeper is to be commended in this approach. This is just the sort of thing we are looking for.”

Virtual discussion between meetings by forum members was vital in ensuring continuity of discussion. Along with remote contributions from other stakeholders, this led to a draft new Model Plan being produced by November 2018. In December the Keeper put this draft Model Plan out to a formal Scottish Government consultation which closed on 7 March 2019.

Consultation responses are currently being collated and considered and a new version of the Model Plan will be published in due course.

Progress Update Review (PUR)

The PUR mechanism, piloted in 2017, has been fully operational across this reporting year. This voluntary self-assessment tool was produced in collaboration with stakeholders to provide authorities with a way of assessing progress under their agreed plans.

The mechanism has proved to be very attractive to stakeholders with uptake exceeding all expectations. Authorities use PUR principally to report on progress against those areas of their plans agreed under improvement, but in practice they take the opportunity it provides to report on new records management initiatives being undertaken by their authorities. Records management colleagues consider it helps to maintain the profile of records management and the assessment team value it as a tool to help them know more accurately where progress is being made. The encouraging uptake allows us to be confident it will contribute longer term to Scottish Ministers goal of changing the culture of records management across the Scottish public sector.

Records management colleagues consider it helps to maintain the profile of records management and the assessment team value it as a tool to help them know more accurately where progress is being made.

► Karen Elder, Business Manager,
Commissioner for Ethical
Standards in Public Life in Scotland

“Thank you for sending over our PUR interim report. It is very rewarding to see your assessment. As a small organisation without an EDRMS, records management can seem daunting. However, it’s remarkable what can be achieved with some basic tools and a willing staff. Once a system is in place it can be very straight-forward to operate and the model RMP really helps underpin that.”

The PUR ‘health check’ of records management plans not only supports compliance with the Act, it facilitates regular non-statutory dialogue between the Keeper’s assessment team and public authorities and helps maintain the momentum we have gained under the Act.



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Assessment team deliver PUR Surgery

111 authorities have responded to the 284 invitations to submit a PUR since the process was piloted in 2017. In 2018-2019 the process recorded a 304 percent increase in uptake on the previous year. This is very encouraging.

This year we continued to liaise with all IJB colleagues and, as indicated above, ran a IJB surgery in Glasgow in May 2018. We also engaged directly with those that were approaching their submission dates. We assessed a number of draft plans and offered tailored advice on content and evidence.

The PUR exercise is voluntary and many authorities which decided against participating have done so because the time is not right for them. We have learned that some are deferring participation to allow for the conclusion of ongoing records management work-streams or governance processes. We are heartened by this feedback as it demonstrates an encouraging sign that work is being undertaken to improve current arrangements.

Some authorities have indicated they regard PUR as a practical method of establishing when their agreed plan might have sufficiently improved and be ready for a formal submission under section 5(6) of the Act. Dumfries and Galloway Council, Dumfries and Galloway Licensing Board and SwesTrans, which have a common plan under Section 1(9), chose to resubmit their plan in 2018 and Orkney Council also submitted under this section of the Act in March 2019. Other authorities are currently considering this option.

Integration Joint Boards

The Public Bodies (Joint Working) (Scotland) Act 2014 (the Act) requires Health Boards (HBs) and Scottish Local Authorities (SLAs) to work together to agree a model of integration. In almost all cases HBs and SLAs opted to delegate responsibility for planning and resourcing service provision for adult health and social care services to an Integration Joint Board (IJB). These are designated Bodies Corporate and have been added to the schedule to the Act. 2018 marked the beginning of the process to invite all IJBs to submit their RMPs for the Keeper's agreement.

These small authorities rely on constituent Scottish Local Authority and National Health Service partners for the delivery of their business and this can make the development and implementation of records management plans a complex process.

This year we continued to liaise with all IJB colleagues and, as indicated above, ran a IJB surgery in Glasgow in May 2018. We also engaged directly with those that were approaching their submission dates. We assessed a number of draft plans and offered tailored advice on content and evidence.

The invitation process began formally in July 2018 and by the end of March 2019 we had invited all 30 IJBs to submit. The Keeper has taken receipt of 16 submissions.

► Allister Short, Chief Officer,
Midlothian IJB

“Well-managed records will help the IJB meet its strategic aims, support decision making and demonstrate accountability to our communities via an open and transparent approach to how we do business. Integration is easy to say but hard to do and good information governance is central to making it work. As a relatively new organisation, the expertise and guidance from colleagues at the National Records of Scotland was invaluable and made the process feel smooth and supportive.”

Conferences and wider talks

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

In April 2018, we delivered a paper at the Centre for Archives and Information Studies event, ‘Investigating the Archive: Memory, Identity, Trust’, which attracted delegates from across the world.

Speakers were invited to consider various themes including the role of archives in remembering and representing trauma, digital media as memory carriers, fake news and the archive, distributed and networked archives, ownership, use and trust and identity in the past, present and future. Given the background to the Act and the ongoing record management failings being highlighted by the Scottish Child Abuse Inquiry this topic was ideal for PRSA team input. A PRSA team member delivered a paper in collaboration with Meic Pierce Owen, Fife Council, and Zarya Rathe, Midlothian Council, on the theme of ‘Owning the Narrative: Victims, Practitioners and Custodians’.

In September we presented papers on the background and progress of the Act to a visiting group of regional archivists from Iceland, including the National Archives of Iceland, who were interested in discussing the Act in comparison to public records and access legislation in Nordic countries. The third party provisions under the Act proved to be an area of particular interest.



Icelandic Regional Archivists Visit NRS.

September also saw us deliver a paper on progress under the Act, particularly in relation to Integration Joint Boards, to the NHS Records Management Forum in Edinburgh, and in November we spoke at the Information and Records Management Society Scotland Winter Meeting in Glasgow.

We also presented a paper in December to a one-day training event in Edinburgh, run by Understanding Modern Government, which focused on compliance in the public sector and the central role of good records and information governance.

Post-Shaw Initiatives

The Keeper remains a trustee of the charity Talking Care Scotland (TCS), which was established to deliver a survivor-led oral history project of the care experience across Scotland. Work on TCS stalled this year due to a number of factors, including volunteer and funding issues and key individuals demitting office. The Keeper remains supportive of TCS and is committed to providing professional advice as required.

The University of Stirling project 'Back to the Future: creating and sustaining 'living archives' of children's homes in Scotland and Germany', which seeks to assist current residents of care trace their records and develop an archive of their experiences there, was also unable to progress this year due, largely, to

funding issues. The Keeper again recognises the potential value of this project and remains committed to providing it with professional advice and support as required.

We also contributed to a new 'Access to Records' initiative established as a collaborative venture between the Centre for Excellence for Looked After Children in Scotland, Who Cares Scotland and Social Work Scotland. We participated in an event in March in Glasgow and look forward to taking part in future events and discussions.



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Dumfries and Galloway Council hand over the formal re-submission of their RMP, July 2018

SECTION 5

Reflections on progress and looking forward



Our surgeries and other such events will remain a high priority for the team and core to in our communication strategy. Where new solutions and aids are required to help us deliver success under the Act we will do this collaboratively.

The Act continues to encourage good practice and the number of agreed plans demonstrates a commitment towards achieving compliance. These plans have largely been agreed as 'improvement models' and this demonstrates that progress is required. It also, however, demonstrates that authorities are engaging meaningfully with the process and are willing to be open in their engagement with the Keeper. We view this as a positive indicator.

We will continue to engage with our public sector colleagues to help them understand their obligations under the Act, and to offer practical assistance where possible. Our engagement programme will continue to include speaking opportunities and face to face engagement with colleagues as required. Our surgeries and other such events will remain a high priority for the team and core to in our communication strategy. Where new solutions and aids are required to help us deliver success under the Act we will do this collaboratively.

Joint working with public sector colleagues has been a hallmark of the Keeper's implementation process and it will remain so. Meaningful engagement with our professional colleagues is equally important and we will continue to work closely with them, particularly with the Scottish Council on Archives (SCA), the Information and Records Management Society Scotland (IRMSS) and the Archives and Records Association Scotland (ARAS).



Courtesy of Registers of Scotland (RoS) 2014011

With so many plans agreed, and with improvement required under the vast majority, it is vital that we closely monitor progress. The Progress Update Review (PUR) process has demonstrated already how pivotal it will be in providing the Keeper with the intelligence he needs to know where progress is being made. We will support this process and we will continue to encourage and help our colleagues embrace the opportunity it provides.

► Gabe Docherty, Director of Public Health, NHS Lanarkshire

“I am taking this opportunity to pass on my thanks to your service for the work that has been undertaken to enable NHS Lanarkshire to securely archive its records. It is a fabulous example of community planning in practice and it is excellent the Trust has been able to provide such a high quality service to the Board.”

Next year we will consider the provisions, under Section 5 of the Act, that allow the Keeper to invite authorities to review their plans and submit these for agreement. Section 5 says,

5 Review of plans

- (1) An authority must—
 - (a) keep its records management plan under review, and
 - (b) if the Keeper so requires (whether at the time of agreement of the plan or otherwise), carry out a review of the plan by such date (the “review date”) as the Keeper may determine in accordance with subsections (2) to (4).
- (2) The Keeper must not determine a review date under subsection (1)(b) which is earlier than five years after the date on which the authority’s records management plan was last agreed.

Section 5(2) is clear that the Keeper must not set a review date which is earlier than five years after the date of the last agreement.

The assessment team has routinely reminded stakeholders of the Keeper’s intention to invoke this power at the appropriate time. Surgeries over the course of this year, in particular, have been used to prepare colleagues for this. A programme of invitations will be developed by the Keeper later in 2019 and this will be shared with stakeholders. As with the initial invitation process, the assessment team will liaise closely with authorities to provide them with adequate time to respond.

We will also progress improvement of our own guidance and procedures. To that end, the Keeper will publish a new Model Records Management Plan in 2019 and update the supporting Guidance.

The Act must also help to support proper archive provision. The Proper Arrangements Guidance, we believe, gives clear guidance to authorities on what arrangements the Keeper considers are essential to protect our records of enduring value. There are well known and understood challenges here, but the Keeper's guidance is helping by providing clear direction on what is required. It also helps strengthen business cases to senior managers for support with regard to archive provision. We will work closely with colleagues to embed this guidance, help them address the challenges they face and assist them in their approaches to management.

Next year we will advance our efforts 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 Scottish Statutory Instrument to update the Act in 2020.

We will continue to listen to authorities and support them as they develop their plans for initial submission or are reviewing them for the purposes of a PUR submission. We will also progress improvement of our own guidance and procedures. To that end, the Keeper will publish a new Model Records Management Plan in 2019 and update the supporting Guidance.

Further, we will work with professional colleagues to deliver a joint Public Records (Scotland) Act conference in the summer of 2019. This will provide a platform for launching the Keeper's new Model Records Management Plan to a large number of colleagues and it will allow us to promote and update colleagues on the PUR process. However, as with previous conferences, we will engage colleagues from the public sector to share their experience of complying with the Act. We will also deliver a session on digital preservation and web harvesting. It is hoped that Ms Hyslop, Cabinet Secretary for Culture, Tourism and External Affairs, will deliver a keynote address to open the conference.

We will maintain and develop our programme of surgeries next year, supporting networking opportunities, promoting good record keeping, and skills development. Surgeries also help us to better understand the challenges colleagues face and to advocate the use of the PUR process. We will continue to take part in records and archive specialist seminars, and participate in professional conferences or other relevant speaking engagements.



The success of the Act to date is a result of meaningful engagement and joint working with stakeholders. There exists now a more dynamic and connected records management community across the public sector which rallies around the Act and the opportunities it brings. We believe this is contributing to records management improvements. We will maintain the level of communication and relationship building required to ensure this situation is strengthened and lasting improvements are secured.

Senior managers are more aware of their responsibilities and recognise the importance of good records and information governance, particularly with the passing of General Data Protection Regulation into UK law in 2018. Records managers are also considerably more visible within their own authorities, but we must work to ensure senior managers remain alert to the importance of good records management. We will, therefore, review and republish the Executive Summary guidance and seek to promote this to senior public sector colleagues.

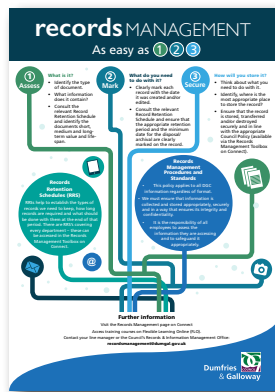
We have some distance to travel to reach the best possible records management practice across Scotland's public sector. The Act, however, is delivering success and with this success comes increased confidence and ambition. There is evidence of good practice across many authorities with significant improvements being achieved under the Act. It is particularly encouraging to know that colleagues report evidence of the Act, helping those organisations that are not subject to its provisions, but which value what it seeks to deliver.

► Joe Chapman, Information and Records Management Society.

“Many organisations not subject to the PR(S)A nevertheless use the elements of the Model RMP as a tool for ‘navigating’ their way through the requirements for good records management. Some have even said they wish they were subject to the Act in order to bolster their RM business case.”

While challenges remain, we are encouraged by the successes we’ve witnessed. There is no room for complacency, but our public sector colleagues should be proud of the distance we’ve travelled together thus far.

By continuing to work closely with colleagues, we will hopefully achieve the aims of Scottish Ministers and change the culture of record keeping in Scotland for the better. Transparency and accountable government relies on records and information, and the Act continues to help us deliver and embed the message that good records management is not just about efficient and effective administration, but about safeguarding the rights of Scotland’s citizens. While challenges remain, we are encouraged by the successes we’ve witnessed. There is no room for complacency, but our public sector colleagues should be proud of the distance we’ve travelled together thus far.



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