





National Records of Scotland,
General Register House,
2 Princes Street, Edinburgh EH1 3YY

tel: +44 (0) 131 334 0380
email: public_records@nrscotland.gov.uk
www.nrscotland.gov.uk

Laid before the Parliament by
Scottish Ministers, December 2023

SG/2023/262

Contents:

- ▶ Foreword by the Keeper of the Records of Scotland
- ▶ 1. Review of the year
- ▶ 2. Aims, obligations and assessment
- ▶ 3. Engagement
- ▶ 4. Reflections on progress and looking forward
- ▶ 5. Annex 1. List of Records Management Plans and Progress Update Reviews agreed 2022-2023



Foreword by the Keeper of the Records of Scotland

I am pleased to present this report, my first as Keeper of the Records of Scotland, under the Public Records (Scotland) Act 2011, setting out my assessment of the progress made during the year ending 31 March 2023.

Over ten years of implementation, much has been achieved in supporting best practice in records management and strengthening a culture of continuous improvement. The Act requires public authorities to prepare, implement and keep under review a Records Management Plan (RMP) setting out their arrangements for the management of records they hold or create. These RMPs must be submitted for my agreement and once agreed, these plans must be implemented and regularly reviewed.

It is encouraging to see that we are receiving increased numbers of voluntary submissions of revised plans, and high engagement with progress update reviews over the last year.

The value of good records management practice has never been more important. Our public records tell the story of the decisions, policies and services that affect all of Scotland's citizens.

Our work continues to evolve, and our reach continues to expand, but our core tasks remain unchanged: supporting and advising authorities on their records management, assessing progress, and promoting continuous improvement under agreed RMPs as a key component of government transparency, accountability and as a safeguard for our democracy.

In doing so, we help to ensure the Act continues to fulfil the aspirations of the Scottish Ministers to achieve a forward-looking, collaborative and improvement-focused approach to public record keeping.

Dr Janet Egdell

Keeper of the Records of Scotland

December 2023

01

Section 1

Review of the year

Record Management Plans*

3 first-time invitations issued

33 plans agreed (13 first-time plans and 20 plans reviewed and submitted under s5)

0 plans assessed to lack proper arrangements

12 invitations issued to submit reviewed plan

5 voluntary re-submissions under Section 5(6) of the Act

11 reviewed plans submitted

293 plans agreed since Jan 2013

298 invitations issued since Jan 2013

Progress Update Review**

195 invitations issued

60 final reports issued

9% decrease in final reports issued

Engagement

41 one-to-one meetings with public authority key contacts

9 PRSA surgeries delivered to stakeholders

748 delegates attend PRSA surgeries

16 papers on PRSA delivered to external and internal events

27 stakeholder and professional meetings and events attended

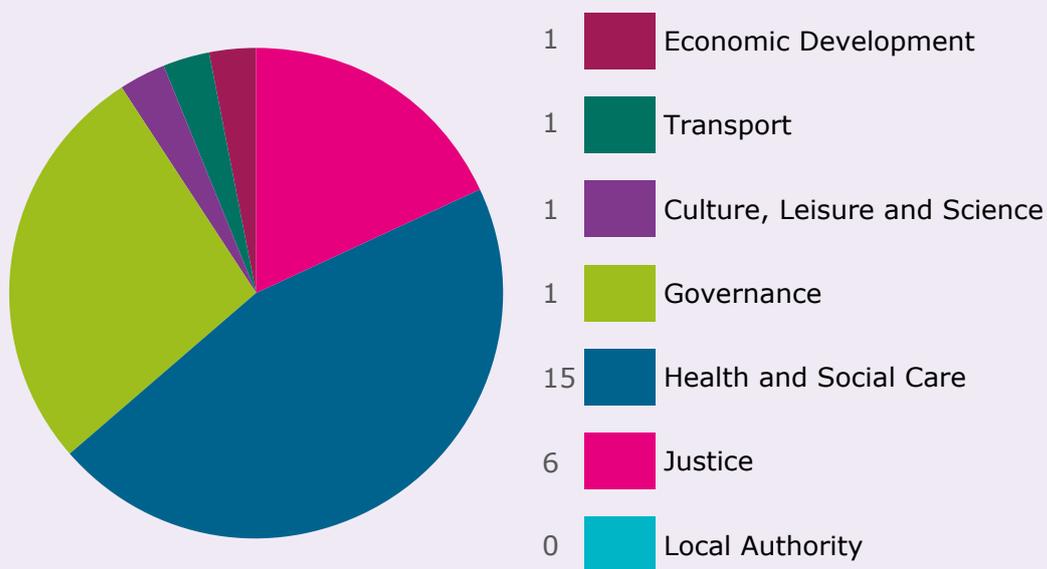
*figures relate to the number of authorities for which plans have been invited/submitted/agreed

**figures relate to the number of authorities

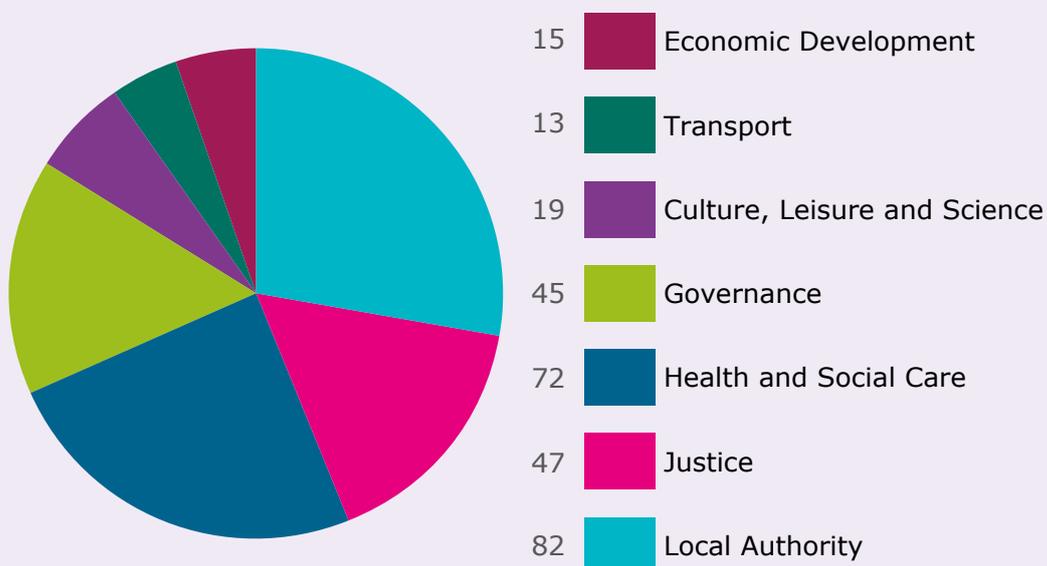
Records management plans agreed by sector

A total of 33 plans were agreed in 2022-2023 out of 293 plans agreed since 2013

Plans agreed, by sector, 2022-2023



Plans agreed, by sector, 2013-2023



Presentations on Act delivered at internal and external events, 2022-2023

Organisation	Location	Date
PRSA General Spring PRSA Surgery	Online	25-Apr-22
Icelandic Archivists	NRS	25-May-22
Scottish Government Public Bodies Unit	Online	26-May-22
NHS Scotland Records Management Forum	Online	26-May-22
PRSA Conference Series Element 15	Online	06-June-22
PRSA Conference Series Duty to Document	Online	13-June-22
PRSA Conference Series Archiving	Online	20-June-22
PRSA Conference Series Line of Business Systems	Online	27-June-22
NRS IRS Team Leads meeting	Online	27-July-22
PRSA General Autumn Surgery	Online	27-Sept-22
PRSA Microsoft 365 Surgery	Online	27-Oct-22
NHS Scotland Records Management Forum	Online	24-Nov-22
PRSA Advocacy Surgery	Online	29-Nov-22
NHS Scotland Records Management Forum	Online	23-Feb-23
PRSA Newcomer Surgery	Online	24-Feb-23
IRMS Microsoft Customer Advisory Board	Online	29-Mar-23

Section 2

Aims, obligations and assessment



Since the Act came into force, the Keeper has agreed 293 plans and issued 298 invitations, including invitations and agreements achieved under the provisions of Section 5 of the Act.

Plans agreed

A total of 33 plans were agreed this year, and Redress Scotland, HM Inspectorate of Constabulary in Scotland, and the Biometrics Commissioner for Scotland were invited to submit their plans for the first time.

Updating the Act

Named authorities that must comply with the Act are listed under a schedule. Most new bodies are added to the schedule under their own founding legislation, but not all. We last updated the Schedule in 2015. We have been working closely with others across government to update this Schedule and prepare a Scottish Statutory Instrument to lay before the Scottish Parliament in the next reporting year.

Courtesy of NHS Shetland

The screenshot shows a web page with the NHS Scotland logo in the top right corner. The main heading is "Safe information handling" followed by the question "What do patients and others need us to think about?". Below this is a paragraph of text: "Patients, staff members and others have a right to expect that their personal or confidential information will be collected, stored, used and shared considerately. The law requires us to put safeguards in place and to take good care of others' private information." The page features several images of healthcare staff. A blue pop-up window is overlaid on the images, titled "Destroy information safely". The pop-up contains the following text: "Information must be destroyed safely when no longer needed (in line with the policies of your organisation). Please contact your line manager or Information Governance manager if in doubt on this point. Click X to close this box. Click each number to see things we should think about." The pop-up has a close button (X) in the top right corner. At the bottom of the page, there is a navigation bar with buttons for "Exit", "Preferences", "Resources", "Glossary", "Help", "Home", "Back", "8/10", and "Next".

Safe information handling

What do patients and others need us to think about?

Patients, staff members and others have a right to expect that their personal or confidential information will be collected, stored, used and shared considerately. The law requires us to put safeguards in place and to take good care of others' private information.

Destroy information safely

Information must be destroyed safely when no longer needed (in line with the policies of your organisation).

Please contact your line manager or Information Governance manager if in doubt on this point.

Click X to close this box.
Click each number to see things we should think about.

Exit Preferences Resources Glossary Help Home Back 8/10 Next

The large number of authorities routinely employing the voluntary PUR mechanism is testament to the value they place in this self-assessment tool. It has become a key records management device for authorities and central activity for the PRSA assessment team.

Progress Update Review

The Keeper is committed to helping authorities to continuously improve in accordance with Scottish Ministers ambitions for the Act. The annual, non-statutory Progress Update Review (PUR) mechanism embodies this commitment. The PUR scheme allows stakeholders to engage outwith the formal assessment process and benefit from ongoing advice and guidance from the PRSA assessment team. Not only does this often support authorities' internal improvement efforts, it also provides us with routine updates from stakeholders telling us about this improvement. This, in turn, helps us gauge the impact of the Act across the sector. Approximately two thirds of all authorities have engaged with the PUR process, and feedback is positive. The external validation that the PUR process offers is appreciated by our stakeholders and can help influence senior management and gain colleagues' support for their own records management ambitions. It ensures records management and records managers remain visible to senior management, and it allows authorities to better prepare for formal reviews of their agreed plans. Publishing PUR assessment reports to [PRSA pages of the NRS website](#)⁵ promotes the process and it helps encourage transparency across the sector. This year, we agreed 60 PUR submissions from scheduled public authorities.

► Meic Pierce Owen,
Fife Council Records Manager

"At Fife Council, we have embedded the PUR as a year-end PRSA Management Report. As such, it has become part of the corporate compliance landscape."

5 [Progress Update Review \(PUR\) - Assessment Reports | National Records of Scotland \(nrscotland.gov.uk\)](#)

Review of Plans under Section 5

The Act provides the Keeper with authority to revisit an agreed records management plan. Under Section 5 the Keeper can invite an authority to review its plan and submit it, and all the relevant evidence, if five years has elapsed since the last plan was agreed. We invited twelve authorities to review their agreed plans this year.

Alternatively, authorities can voluntarily review their agreed plans and submit these for the Keeper's agreement. Section 5(6) allows authorities to do this any time after they last achieved agreement. The Keeper has encouraged authorities to make use of this option as a way of ensuring Records Management Plans remain as up-to-date as possible, but also to assure Ministers that the Act is working for authorities.

Since the Act was first implemented, thirteen authorities have taken the opportunity to voluntarily review their agreed plans and submit these with all relevant evidence for my agreement. This includes five RMPs voluntarily submitted this year.

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 public_records@nrscotland.gov.uk.



The PRSA Team: (L-R back row) Andrea Wells, Hugh Hagan, Gillian Mapstone (former Head of Records and Archives Engagement), Pete Wadley; (L-R front row) Charlotte Berry (Head of Records and Archives Engagement) Elizabeth Course, and Iida Saarinen

Acknowledgement – Crown copyright

Section 3

Engagement



Engagement is the jewel in the PRSA crown. Ten years of active engagement, listening and acting in collaboration with stakeholders to help address their needs, has won us the support of Scottish public sector records managers. In-person engagement, curbed in recent years because of Covid-19 restrictions, became increasingly possible over the course of this year. We look forward to engaging this way more regularly from next year, but we remain equally committed to online engagement. This enabled us to liaise with colleagues over recent years and it remains central to our engagement strategy.

PRSA surgeries

Surgeries allow us to think collectively and develop solutions collaboratively to address shared challenges. They are a place of learning for all, regardless of experience. At their core they are a meeting place where we share on friendly terms all that tests and encourages us as we seek to manage the task of safeguarding Scotland's public record.

The continuing positive impact of our PRSA surgeries cannot be overstated. These events are often shaped by the conversations and feedback we get from stakeholders. They therefore address records and information issues that are of immediate concern to colleagues. They facilitate the sharing of experience, learning from each other and provide us with the opportunity to hear about and applaud success. They also facilitate engagement with professional experts who share their knowledge, but perhaps more importantly, address the questions and concerns of stakeholders. Colleagues are provided with useful insights, drawn from national and international experience, and are encouraged to use this learning to develop solutions that will address their local challenges.

We hosted five surgeries this year including two general surgeries updating stakeholders on progress under the Act. There was also one newcomer surgery informing new colleagues about the background and Scottish Ministers' ambitions for the Act, the statutory obligations it places on their authorities and their role as the Keeper's Key Contacts for their authorities. Two 'special' surgeries considered the important issues of records management advocacy, particularly in relation to securing senior management buy-in, and the challenges and opportunities presented by adopting Microsoft in the Cloud (M365) as a records management solution.

With so many Scottish public authorities making the transition to M365, or actively considering such a transition, we will continue to engage with colleagues around how to use this system effectively from an information governance perspective. This year's M365 surgery considered both the practical and the theoretical. Our day was led by Ren Lemming, Chair of the Information and Records Management Society (IRMS) which, in collaboration with The National Archives (TNA), established a working group to progress the development of a M365 Maturity Model. Balint Csollei, Cross Government Engagement Lead, TNA, explained the Maturity Model to colleagues and we also heard from Khopolo Jamangile, Records and Information Security Manager, Perth & Kinross Council and Heather Mackay, Records Manager and Data Protection Officer, VisitScotland. Khopolo and Heather drew on their experience of working with M365. Our surgeries are routinely well attended, but we were especially delighted to welcome 157 colleagues to this online event.

Our advocacy surgery, which attracted 100 stakeholders, heard from Neil Stevenson, Chief Executive of the Scottish Legal Complaints Commission, as well as Amy Cawood, Corporate Records Manager, NHS Forth Valley, Frank Rankin and Heather Jack, For Your Information and Edward Ratcliffe, Records and Information Management Specialist, Boeing.

► Neil Ogg, Records Manager,
Police Scotland

"PRSA is playing a vital role in helping Scotland's single national police service to shape its records management strategy. The Model Plan has given us a practical framework to structure our records management activity around. Our team are regular attendees at surgeries and the advice and guidance of the PRSA team as well as from wider public sector colleagues continues to help us to develop as an organisation and as professionals."

There is no question we have made significant progress under the Act, but more remains to be done to ensure records created and managed by third party providers are safeguarded, particularly where care facilities are faced with closure. We have started to work more closely with colleagues over this and will make it a key part of our engagement programme going forward.

In addition to our surgery series, we ran a PRSA Conference Series of four shorter stakeholder meetings covering the topics '*public records created and held by third party providers*', '*duty to document*', '*archiving*' and '*line of business systems for creating and managing records*'. We attracted the support of 12 guest speakers from across the sectors, including records management consultant colleagues, to help us deliver this popular series in June. This online conference series was a very successful alternative to an in-person conference and attracted 335 attendees. Overall, our combined surgery and conference series events attracted 748 public sector stakeholders this year. This is a remarkable achievement.

Last year we reported on our engagement over the issue of public records created by third party organisations delivering public functions under contract to named public bodies. Given the background to the Act, the loss and erroneous destruction of care records, many of which were created by third party providers, this issue is central to Scottish Minister's ambitions for the Act. The Keeper expects authorities to address the issue under Element 15 of the Model Plan and to provide assurances over how these records are managed. Last year's report confirmed how we were alerted to care records in danger and detailed the actions we took with public sector colleagues and the Business Archives Surveying Officer to safeguard these records. We committed to further engagement with stakeholders over this issue.

We did not host an Element 15 surgery this year, but we did address the topic as part of the 'Conference Series' in June. We engaged with public authorities, third party providers and others about what our next steps might be and concluded a roundtable event with a small group of colleagues would provide the best forum in which to draw out the issues, explore possible future actions and possible solutions. These would be presented to the wider community for discussion and debate under an Element 15 surgery in the next reporting year.

We will pursue in-person meetings again in due course, but we will plan these alongside our continued commitment to online and hybrid events, which allow greater numbers to attend at any one time.

The number of stakeholders attending surgeries remains very high. This, of course, is partly because these have been held online. Remote access allows stakeholders from across the full extent of the public sector to attend regardless of where they are based. However, the content, themes, speakers and organisation of these events is such that colleagues are encouraged to take time out of their busy schedules to attend. They greatly value the PRSA surgeries as a free training opportunity and for the networking and practical solutions they can benefit from.

Outreach activities

Much like our surgeries, our authority level engagement grew this year. It is vital that we remain in direct contact with authorities to help them meet their statutory obligations and offer assistance and guidance relative to their individual needs. This year we engaged with individual authorities on 41 occasions.

Meetings with public authorities 2022 - 2023

Scottish Environment Protection Agency x 2	Redress Scotland
NHS 24	Visit Scotland
East Lothian Council	Cairngorms National Park Authority
Scottish Enterprise	Creative Scotland
Ethical Standards Commissioner	Western Isles IJB
Public Health Scotland	Argyll and Bute IJB
Highland Council	NHS Forth Valley
Dumfries and Galloway IJB	Scottish Housing Regulator
Scottish Legal Aid Board	His Majesty's Inspectorate of Constabulary in Scotland
Audit Scotland/Auditor General/Accounts Commission	Scottish Biometrics Commissioner
Highlands and Islands Airports Ltd	King's and Lord Treasurer's Remembrancer
Moray Council	Parole Board for Scotland
NHS National Services Scotland	Scottish Commissioner for Human Rights x 2
NHS Orkney	Consumer Scotland x 2
Scotrail Trains Ltd	Education Scotland
The Childrens and Young People's Commissioner Scotland	Judicial Appointments Board for Scotland
Argyll and Bute Council	Midlothian Council
NHS Fife	West Lothian Council x 3

Our continued involvement in CAB, where we represent the voice of PRSA stakeholders, allows us to help colleagues more quickly understand the relative merits of the system. Being able to ask questions of Microsoft experts on behalf of stakeholders and feedback their responses in language we can all understand gives colleagues the confidence to debate the system at Surgeries and other meetings. It also helps colleagues engage more confidently with senior management when asked to contribute to internal discussions on the benefits of the system.

We also continue, by invitation, to participate in the work of the NHS Scotland Records Management Forum. The Act led to the creation of this Forum and its members continue to value our input to their meetings and debates on all aspects of records and information management in the NHS. Our contribution allows NHS colleagues to learn about developments across the wider public sector and issues of universal interest. The news and advice we're able to bring to the Forum on developments under M365 are of particular interest as NHS Scotland territorial and special boards continue to transition to this platform. We contributed to three Forum meetings this year where we updated colleagues on progress under the Act and our involvement with the Microsoft Customer Advisory Board (CAB) on M365.

We continue to value our participation in the Microsoft CAB. It allows us to learn directly from Microsoft about M365 technical developments, which we pass on to PRSA stakeholders at surgeries and other meetings, such as the NHS Records Management Forum. And it affords us the opportunity to advise CAB on stakeholders needs and influence the thinking of Microsoft developers with regard to records management functionality. As more Scottish public authorities contemplate making the transition to M365 our membership of CAB becomes increasingly important.

Our work on the Microsoft CAB led to us being invited to participate in a new Microsoft Privacy CAB. This is again a joint initiative being led by Microsoft and IRMS. Its aim is to hold 'conversations' with the data privacy management community in order to gain insights into strategies and techniques for the handling of personal data and inform Microsoft solutions. Microsoft 365 Privacy Management, for example, discovers private data and prompts users to consider any associated privacy risks. We were approached to bring our PRSA knowledge to the CAB quarterly meetings.

Our M365 expertise was valuable to the IRMS/TNA M365 Maturity Model initiative. We therefore contributed to the work of the group, which included national archives from across the World, to help deliver and promote the Maturity Model as a useful tool for best practice governance to stakeholders.

We were further invited to participate in the Microsoft 365 Maturity Model created by the Public Access & Government Services team within The National Archives (TNA) as a practical assessment tool to provide guidance for organisations around their approach to information governance in M365. As an evergreen, continuously evolving platform M365 will be constantly advancing and being updated with new apps and features. To support colleagues navigate this IRMS formed a M365 Maturity Model working group in collaboration with TNA and invited the Keeper's participation.

The M365 Maturity Model will be referenced under the Guidance to the Keeper's Model Records Management Plan.⁶

With many of Scotland's public authorities considering the adoption of M365 as their principal records and information management solution, the Keeper's Assessment Team, drawing on expertise developed through participation in the CAB and engagement with stakeholders using or researching the potential of M365, developed PRSA M365 guidance to help authorities understand some of the issues associated with implementing this solution. The guidance, developed in collaboration with stakeholders, does not seek to offer answers to all the technical and practical application issues associated with M365. Rather, it suggests questions that a named authority might ask itself about the solution in advance and maps these to the relevant Elements in the Keeper's Model RMP. Under each Element it explains what the Keeper's expectations are for the purposes of compliance and suggests what questions might be asked to adequately assess whether and in what ways M365 might help an authority achieve compliance.⁷

6 [Resources | National Records of Scotland \(nrscotland.gov.uk\)](https://www.nrscotland.gov.uk/resources/national-records-of-scotland)

7 <https://www.nrscotland.gov.uk/files/record-keeping/public-records-act/prsa-m365-guidance.pdf>

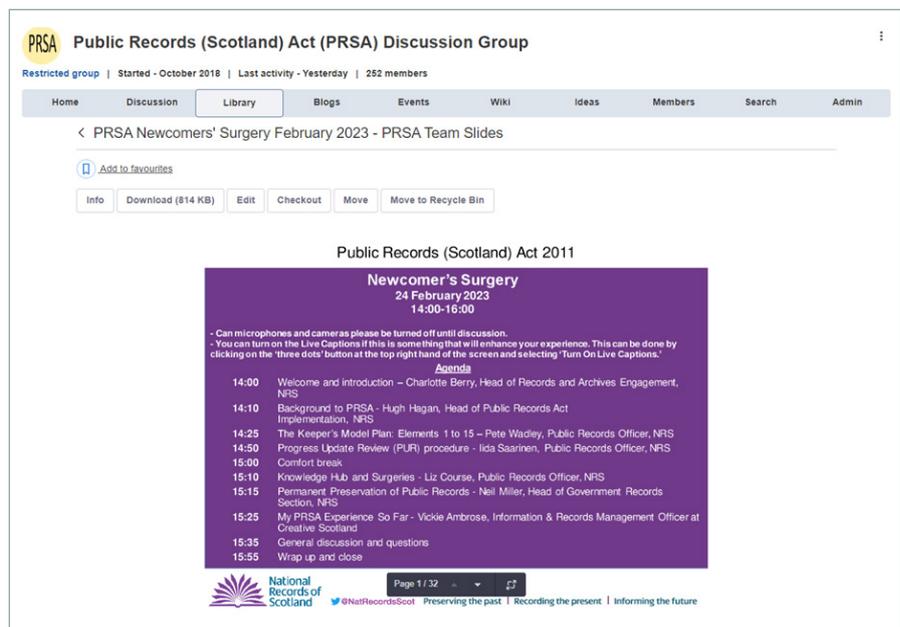
► Gordon Hobbs,
Information Manager,
Scottish Parliament

“At the Scottish Parliament we are not unique in having to meet the varied challenges of managing our records in an everchanging technological environment. The PRSA Team engages with the records management community in Scotland and beyond to help Records Managers keep abreast of these challenges and to ensure that NRS guidance is useful and relevant. The guidance on how to make best use of M365 tools has been particularly useful in helping with the development and implementation of Records management plans.”

The PRSA M365 guidance was an immediate success with stakeholders and has attracted the applause of colleagues from across the Scottish public sector and the profession more widely. It has attracted interest across borders. It was warmly received by our international colleagues on the Microsoft CAB.

We contributed to the ongoing work of the Scottish Government Health and Social Care Information Governance Competency Framework Short Life Working Group and the Scottish Government Records Management Health and Social Care Code of Practice. We maintained our association with the Scottish Public Sector Data Protection Practitioner Group. Team members contributed to meetings of the Information and Records Management Society and the Archives and Records Association Records Management Group. We liaised with colleagues in the Scottish Council on Archives and we updated our Archivists of Scottish Local Authority Working Group (ASLAWG) colleagues on developments under the Act.

Our Public Records Scotland Act Knowledge Hub discussion forum (KHub) goes from strength to strength. The KHub promotes PRSA and wider records management events, points members in the direction of useful resources and offers colleagues a space where they can share news, knowledge and experience. We routinely post papers and other material from our Surgeries to the KHub and our resource library now consists of over 60 sets of presentation slides and guidance. Our KHub activity continues to attract interest from across the Scottish public sector and beyond – we have non-public sector members and colleagues from England too – and it is almost routine that each surgery delivers us new members. Our membership has risen from 214 last year to a current total of 250.



The KHub is now an established collaboration tool for the PRSA team and all our stakeholders. It is an important promotional device for the Act and the Keeper's implementation process. We will continue to support this important collaboration space and encourage colleagues to engage with each other through posting questions, comments and useful resources.

Rights in Records initiatives

In October 2016, the First Minister commissioned the Independent Care Review (ICR) to listen to those with experience of living and working in and around Scotland's 'care system' to properly understand what needed to change. The ICR, which heard over 5,500 experiences, reported in 2020.⁸ The personal stories and experiences of those who contributed to the ICR shaped its outcomes and led to The Promise, a plan to deliver for young people in care across Scotland. It also led to national and local initiatives around care, including the creation and management of care records.

The Promise seeks to ensure that the care experienced gain a genuine sense of ownership over their own records, as they are being created but also into the future. It is vital they can access their personal stories through the records they co-created while in care to be able to reflect and process their past. The Promise has helped establish projects that seek to address this need.

The PRSA team continues to contribute to one such project. The Archiving Residential Children's Homes (ARCH) in Scotland and Germany project seeks to understand what shared experiences and memories those who live, and have lived, in residential childcare want to access, when they want to access them, and the role these memories have in their understanding of themselves and their history. It is the project's aim to help develop practices in the areas of record keeping, record management, and access, to better meet the needs and expectations of the care experienced. The ARCH Trustees, which includes the PRSA team, met several times this year to learn about the work of the project team. Phase Two of the project, data collection, is well underway. Photo-elicitation exercises with individuals and small groups has taken place to get an idea of participants' opinions on various aspects of the archive, including content, consent, access, and interaction. Also, semi-structured interviews around memory, memory-keeping, and the archive with young people and adults are being conducted. A one-day conference to report on and promote this work is planned for June 2023.

This year we engaged with a new initiative developed from The Promise called My Story. This project builds on work done during the ICR with the Digital Health & Care Innovation Centre and other partners to explore co-produced care records that could deliver ownership to and reduce stigma for young people.⁹ The ICR found that current approaches to record keeping are designed around service needs and can be alienating or even traumatic for people in care. Things have greatly improved in recent years, but traditionally record creation in the care sector was the almost exclusive preserve of the care givers. The voice of the professional dominated the record over the voice of the child.

9 [Digital Health & Care Innovation Centre | Digital Health & Care Innovation Centre \(dhi-scotland.com\)](https://www.dhi-scotland.com/)

The care experienced have long campaigned for their voices to appear in their own records and the work of the ICR confirmed this. The ICR reports affirm that people in care should be able to participate in creating their records and incorporate creative and personal data as they wish. My Story is researching and prototyping ideas for young people to tell their story in a way that is empowering for them and gives valuable insight to the organisations and services supporting them. The PRSA team offers valuable records management expertise and advice to the work of the project, particularly around the security and long-term preservation of records to be created.

Last year we reported on taking part in the Protecting the Public Record: Models of International Best Practice conference hosted by the National Archives of Ireland (NAI). This event marked the beginning of the NAI's research into new public records legislation in Ireland. This year we collaborated further. We were invited to meet with Archives Ireland, an archives and records management consultancy engaged by NAI to progress the research by comparing recent public records legislation around the world to inform their thinking. We will remain connected to this initiative and monitor with interest the options considered important by our Irish colleagues when framing their legislative ambitions.

This year we learned about the Information and Records Management Society (IRMS) and Archives and Records Association's (ARA) 'Campaign for Records'.¹⁰ The Campaign advocates for a better regulation of public records. It argues for a robust framework for the collection and preservation of records and warns that without this, in an age of dis and mis-information, accusations of 'fake news', conspiracies and cover-ups will continue to erode trust in government and that democracy will be further undermined. We invited Ren Lemming, IRMS Chair, to update PRSA stakeholders on the Campaign's progress at this year's Advocacy Surgery.

10 [Campaign for Records](#)

The Campaign cites the 2020 Trust in Government survey carried out by the Organisation for Economic Cooperation and Development (OECD) in which the UK came 34th out of 41 countries, below Brazil and Colombia. The Campaign is demanding a new and comprehensive UK legislative framework to ensure that all records (including those in digital format across the public sector (and its partners and contractors) will provide the essential records and evidence that the public need to rebuild and maintain trust in government and diminish the threat to representative democracy.

We remain with much work to do in Scotland to further improve public records safeguards. We can be clear, however, that the Public Records (Scotland) Act and the Keeper's flexible and collaborative approach to implementation, including the co-production of all guidance and practical solutions over these past ten years, is producing discernible improvements across the public sector. We are also, with reference to the Campaign's concern for records created under contract, making good progress against the challenges we see here in Scotland where public records are created by third party providers. Our work on this front continues and we are confident we will be able to report on significant developments on this issue in next year's report.

Conferences and wider talks



Crown copyright

Gillian Mapstone, Head of Records and Archive Engagement Branch. IRMS 2022 Bulletin Author of the Year award

The 2022 Information and Records Management Society conference took place in Glasgow. The PRSA team was represented over the course of the two-day event and delivered a joint session on public records created by third party provider organisations. The conference afforded us the opportunity to meet with Microsoft colleagues in attendance from the USA and discuss the work of the CAB. We were also represented on stage at the conference awards ceremony where Gillian Mapstone, Head of Records and Archives Engagement Branch, collected the 2022 IRMS Bulletin Author of the Year award for her article, 'The Impact of the COVID-19 Health Crises on Record Keeping in the Scottish Public Sector.'¹¹

11 [IRMS Bulletin, 'The Impact of the COVID-19 Health Crisis on Recordkeeping in the Scottish Public Sector.'](#)

In May we presented papers on the background and progress on the Act to a visiting group of regional archivists from Iceland. They were particularly interested to learn about digital transfer and archiving of public records under the Act, so we invited NRS colleagues from our Digital Services Unit and from the Digital Records Unit to talk about their work in accessioning, preserving and making available records in digital format. Our Icelandic colleagues, making their third visit to Scotland in recent years, bring news of records and archives developments across the Nordic countries which is of particular interest to us in Scotland.



Crown copyright

Icelandic Regional Archivists visit to NRS

May also saw us deliver a talk on the Act to the Scottish Government New Public Bodies Unit (NPBU). It is a useful opportunity for us to engage with Bill teams and help ensure new public bodies, which will be subject to the Act, understand their obligations from this very early stage. Engaging as early as possible with Bill teams and others as they develop the policies underpinning all new authorities is key to the best possible start. With our advice Bill teams can ensure, where appropriate, that primary legislation amends the Public Record Scotland Act to add new authorities to our Schedule. Regular contact with the NPBU will hopefully ensure this line of communication benefits all parties.

In September we met with Stephen Clarke, Chief Archivist, Archives New Zealand. Stephen attended the International Council on Archives conference in Rome and took the opportunity of being in Europe to visit his family and friends in Scotland. He met with several NRS colleagues in General Register House and was particularly interested in PRSA. New Zealand's Public Records Act 2005, being only five years old when we embarked on developing a Scottish Bill provided us with a recent model to consider.

Scottish Council on Archives - Twenty Treasures

The Scottish Council on Archives (SCA) celebrated its 20th anniversary in 2022. As part of its celebration SCA invited archive services and organisations from across Scotland to nominate a special item from their collection. From the many nominations it received, a small panel chose twenty items which were of national or local significance with an interesting story to tell. We were delighted to learn that the Letters Patent to the Public Records (Scotland) Bill 2011 was selected as one of twenty treasures. You can read more about this and listen to a podcast featuring Hugh Hagan (Head of Public Records Act Implementation) talking about the importance of the legislation on the SCA website. <https://www.scottisharchives.org.uk/explore/national-records-of-scotland/>

The SCA's promotional material for the Twenty Treasures exhibition, which took place in the Scottish Parliament, said, "For the first time, this Act places a statutory responsibility on named public authorities in Scotland, which includes local authorities, the NHS, police and courts as well as the Scottish Government and Scottish Parliament to prepare and implement a records management plan which sets out the arrangements in place to manage their public records and provisions for the preservation of their records of enduring value."

▶ John Pelan, Director,
Scottish Council on Archives

The Twenty Treasures panel was delighted that National Records of Scotland submitted the Letters Patent for consideration. The importance of the Public Records (Scotland) Act in terms of accountability and transparency cannot be overestimated. By encouraging and enabling best practice in record-keeping by government agencies and public bodies, the Act informs decision-making, protects important historical and cultural information, and helps ensure that the actions of public officials and organisations are open to scrutiny, which is crucial for maintaining public trust.

“Access to authoritative, reliable and robust records and archives is not only essential for effective public service delivery but is vital to protect the rights of the citizen and to hold authority to account. Good recordkeeping is an essential part of any democratic and accountable society. Shaw demonstrated how record keeping failings denied former residents access to their own vital records, thereby denying them knowledge of their formative years and robbing them of their right to access essential information created about and for them. The Act seeks to ensure this does not happen again. Since its implementation in 2013, the Act has been instrumental in raising the profile of records management across the public sector in Scotland.

The Act has established an ongoing conversation between the Keeper of the Records of Scotland and all those authorities named under the Act. Guidance and practical solutions are co-produced and learning is shared. Stakeholders are embracing the opportunity the Act offers to promote their profession. The Act is also reaching out from the Scottish public sector to have an impact further afield within the UK and internationally.”

Section 4

Reflections on progress and looking forward



It is very encouraging that in the face of unprecedented resource and budgetary challenges our Scottish public authority colleagues remain committed to compliance under the Act. This is evident not just from the high levels of participation with the formal assessment mechanism and the voluntary PUR process, but from the high levels of engagement we have experienced, and the continuing interest colleagues show towards collaboration over advice and guidance and the sharing of experience and knowledge.

We have embraced remote working, hybrid working, and the greater use of digital collaboration made necessary by the pandemic. In-person meetings are making a comeback, and the PRSA team has and will continue to search for opportunities to meet colleagues this way. However, online engagement offers us a way of connect with large numbers of stakeholders, and the format is here to stay.

The Scottish public sector is facing a significant resource challenge. Despite these challenges, we are delighted to be able to report on further progress under the Act. Public authorities continued to respond positively to invitations to submit RMPs for agreement. Our assessment programme remained robust, and the Progress Update Review (PUR) mechanism proved ever popular with stakeholders.

In keeping with previous years, we listened to our colleagues to help us design and plan our engagement programme. Our online surgeries attracted stakeholders from across the full extent of the Scottish public sector. We have delivered events on subjects that matter most to colleagues, including the challenges and potential benefits of implementing new technology to help us better manage our public records. We engaged over the obligation we all have under the Act to ensure we can manage public records being created under contract by a third party. This is key to the long-term success of the Act, and to meeting Scottish Ministers' ambitions of ensuring the Act safeguards the records of the most vulnerable in our society. We made progress on these and other topics relevant to the sector, but we have further to travel yet. We are already looking forward to extending our engagement under next year's programme of events.

The PRSA Knowledge Hub (KHub) will be an increasingly important engagement mechanism and key to our campaign to gain meaningful feedback from colleagues on key issues under the Act. We will further grow the KHub by increasing the body of PRSA content available to stakeholders. We will post new and updated guidance and intend to encourage and facilitate more networking and debate on topics of interest. We will also advocate more colleagues post questions and concerns, but also their successes to the KHub to increase learning opportunities for us all.

Next year our engagement will again embrace issues important to stakeholders, including advocacy and promotion of the profession. We will also draw on our M365 learning to focus on the technical and records management challenges we face as more authorities adopt this solution. And we will work with stakeholders to safeguard public records created under contract by third party providers. Engaging further with third party providers will allow us to learn from their experience. We will commit to these and other priorities to safeguard the information rights of all of Scotland's citizens.

Working closely with our professional colleagues is key to ensuring we promote our work across all sectors and beyond Scotland. The issues being addressed by the Act are universally experienced. Working with the broader records and information profession ensures the guidance and solutions being developed in Scotland reach a wider audience. We embrace all opportunities to work closely with professional groups, including the Scottish Council on Archives, the Information and Records Management Society, the Archives and Records Association, and the Archivists of Scottish Local Authority Working Group (ASLAWG), in order to advance the work of the Act and collaborate to deliver solutions, advice and support. We look forward to working closely with these professional bodies again next year.

The background to the Act, the devastating impact of poor recordkeeping on the most vulnerable in our society, and the fact that the Scottish Child Abuse Inquiry remains ongoing and routinely references records issues, requires us to remain alert to the importance of what we do in protecting the rights of Scotland's citizens. We must also remain alert to Scottish Ministers' ambitions for the Act to change the culture of recordkeeping across the public sector. We are committed to participating in any projects or initiatives relating to the creation, management and archiving of records relating to the vulnerable. Our commitment will see us contribute advice and guidance to a number of initiatives next year. We will also continue to deliver papers to Scottish, UK and international events on the subject to rights in records.

The global pandemic presented our stakeholders with many challenges and they remain dealing with the after-effects, but it is also clear that the importance of public records and what records professionals do to manage and protect the public record gained heightened recognition as a consequence. We will ensure that next year's engagement programme does not lose sight of the need for advocacy to further promote the importance of what we do.

The success of our PUR mechanism is particularly pleasing. We are delighted to be able to report it remains important to colleagues, and confirm that we will continue to support and develop this process with the help of stakeholders. It is encouraging that to date two thirds of all named authorities have engaged with the process. We routinely remind ourselves that this is a non-statutory process. Such high uptake suggests not just that this is of practical assistance to our records management colleagues, but it also demonstrates to us that stakeholders have taken ownership of the Act. This process is theirs, co-designed and developed with the PRSA team at their behest, but their resource challenges are real. It bodes well for the Act that, despite the challenges, our records management colleagues continue to engage and realise the benefits of this voluntary mechanism.

We reported last year on the need to develop a Scottish Statutory Instrument (SSI) to update the Schedule to the Act. The public sector changes constantly with new authorities coming into existence while others stop operating, and some merge and attract new names and functions. A new authority's founding legislation will often add it to the Schedule of the Act, but not always. We look forward to progressing work started this year to develop an SSI to ensure all relevant authorities and all name changes are properly addressed under the Act.

Colleagues have indicated their wish to hear more from us on the important matter of authority and control in recordkeeping environments, particularly M365, and the challenging issue of digital preservation. We will address these matters in the year ahead by drawing on knowledge and expertise from within the National Records of Scotland, but also from our involvement in the CAB and our liaison with colleagues at The National Archives (TNA), and from our professional representative bodies in Scotland, the UK and internationally.

Collaboration across the Scottish public sector between records management professionals and my PRSA team has been transformational, and has been instrumental in the successes we've seen under the Act to date. Despite the challenges we have faced and continue to face our firm foundation, built on joint working and a shared understanding, is helping to ensure we remain compliant with the Act and continue to drive change. Good records management helps our authorities embrace change, even when it arrives unexpectedly and at pace, as was evident under the global pandemic response.

We will continue to liaise with Scottish Government and others on any future developments in public record keeping, providing our own insights and those from the wider sector. We will work closely with public authorities to understand their challenges, offer appropriate advice and guidance, and remain reasonable in our implementation of the Act to ensure that compliance with the Act is maintained. We will also use our influence to emphasise the financial and efficiency benefits that can be gained from managing our information assets appropriately.

2023 will mark the 10th anniversary of the implementation of the Act. It will be a time for us to stop and take stock with the help of our stakeholder community. We will reflect on the journey and the successes and challenges along the way. We will think about all the plans we have assessed and agreed, all the evidence that has been read and evaluated, all the liaison and discussions that have taken place, and all the relationships we have built. We will take time to be pleased about the progress that has clearly been achieved. We will also consider what lessons are to be learned, and what we might do differently as we seek to maintain momentum.

The Act requires us to protect the rights of Scotland's citizens by safeguarding their public records. In the current climate of financial challenge, the Act can be used by records managers, information governance and archivist colleagues across Scotland to collaborate and support each other and achieve progress on this goal. We will work closely with public authorities and the Scottish records management community to ensure we deliver on this.

05

Section 5

Annex 1: List of Records Management Plans and Progress Update Reviews agreed 2022-2023

Records Management Plans agreed, 2022-2023

Authority	Date of Agreement	Sector
West Dunbartonshire Integration Joint Board	08/04/2022	Health and Social Care
Renfrewshire Integration Joint Board	28/04/2022	Health and Social Care
South Lanarkshire Integration Joint Board	28/04/2022	Health and Social Care
Dundee City Integration Joint Board	11/05/2022	Health and Social Care
Scottish Road Works Commissioner**	04/06/2022	Governance
South of Scotland Enterprise	08/06/2022	Economic Development
Scottish Government Main*	25/07/2022	Governance
Her Majesty's Inspector of Anatomy for Scotland*	25/07/2022	Culture, Leisure and Science
Chief Dental Officer of the Scottish Administration*	25/07/2022	Health and Social Care
Chief Medical Officer of the Scottish Administration*	25/07/2022	Health and Social Care
Scottish Agricultural Wages Board*	25/07/2022	Governance
HM Inspectorate of Fire and Rescue for Scotland*	25/07/2022	Governance
Her Majesty's Chief Inspector of Prisons*	25/07/2022	Justice
Independent Prison Monitors appointed under section 7B(2)(a) of the Prisons (Scotland) Act 1989*	25/07/2022	Justice

Authority	Date of Agreement	Sector
Prison monitoring co-ordinators appointed under section 7A (2) of the Prisons (Scotland) Act 1989*	25/07/2022	Justice
Mobility and Access Committee for Scotland*	25/07/2022	Health and Social Care
Safeguarders Panel (Part of Scottish Ministers)*	25/07/2022	Health and Social Care
Drinking Water Quality Regulator for Scotland*	25/07/2022	Governance
Public Health Scotland	02/08/2022	Health and Social Care
Dumfries and Galloway Integration Joint Board	09/08/2022	Health and Social Care
Environmental Standards Scotland	01/10/2022	Governance
Police Scotland*	12/08/2022	Justice
Audit Scotland*	31/08/2022	Governance
Auditor General for Scotland*	31/08/2022	Governance
Accounts Commission for Scotland*	31/08/2022	Governance
Parole Board for Scotland	05/10/2022	Justice
NHS Fife*	06/10/2022	Health and Social Care
Scottish Borders Integration Joint Board	18/11/2022	Health and Social Care
Argyll and Bute Integration Joint Board	13/02/2023	Health and Social Care
Strathclyde Partnership for Transport (SPT)**	28/02/2023	Transport
Commissioner For Ethical Standards in Public Life in Scotland**	07/03/2023	Justice
Western Isles Integration Joint Board (Cùram Is Slàinte nan Eilean Siar)	23/03/2023	Health and Social Care
East Lothian Integration Joint Board	30/03/2023	Health and Social Care

*Submission by invitation under Section 5(1)

**Voluntary submission under Section 5(6)

PUR Final Reports sent to authorities, 2022-2023

Authority	Final Report sent to CEO/SO	Sector
Scottish Borders Council	19/04/2022	Local Authority
Scottish Borders Licensing Board	19/04/2022	Local Authority
Water Industry Commission for Scotland	25/04/2022	Economic Development
NHS Borders	29/04/2022	Health and Social Care
NHS Tayside	06/05/2022	Health and Social Care
NHS Greater Glasgow and Clyde	12/05/2022	Health and Social Care
Scottish Commission for Human Rights	12/05/2022	Governance
Fife Council	20/05/2022	Local Authority
Fife Licensing Board	20/05/2022	Local Authority
Orkney Integration Joint Board	23/05/2022	Health and Social Care
South Ayrshire Integration Joint Board	16/06/2022	Health and Social Care
Scottish Fire and Rescue Service	21/06/2022	Culture, Leisure and Science
Aberdeenshire Council	05/07/2022	Local Authority
Aberdeenshire Licensing Board	05/07/2022	Local Authority
Scottish Legal Complaints Commission	05/07/2022	Governance
Keeper of the Registers of Scotland	26/07/2022	Local Authority
Renfrewshire Valuation Joint Board	28/07/2022	Local Authority
NHS National Services Scotland (NSS)	02/08/2022	Health and Social Care
Scottish Advisory Committee on Distinction Awards	02/08/2022	Local Authority
Loch Lomond and The Trossachs National Park Authority	11/08/2022	Culture, Leisure and Science
NHS Ayrshire and Arran	11/08/2022	Health and Social Care
NHS Education for Scotland (NES)	16/08/2022	Health and Social Care
Dunbartonshire, Argyll and Bute Valuation Joint Board	12/09/2022	Local Authority
Dumfries and Galloway Council	15/09/2022	Local Authority

Authority	Final Report sent to CEO/SO	Sector
Dumfries and Galloway Licensing Board	15/09/2022	Local Authority
SWestrans	15/09/2022	Transport
Scottish Public Services Ombudsman	16/09/2022	Governance
Scottish Futures Trust	27/09/2022	Economic Development
Angus Council	07/10/2022	Local Authority
Angus Licensing Board	07/10/2022	Local Authority
Social Security Scotland	07/10/2022	Health and Social Care
NHS Shetland	11/10/2022	Health and Social Care
East Lothian Council	01/11/2022	Local Authority
East Lothian Licensing Board	01/11/2022	Local Authority
NHS Dumfries and Galloway	11/11/2022	Health and Social Care
NHS 24	02/12/2022	Health and Social Care
East Renfrewshire Council	03/03/2023	Local Authority
East Renfrewshire Licensing Board	03/03/2023	Local Authority
West Lothian Integration Joint Board	15/11/2022	Health and Social Care
North Lanarkshire Council	15/11/2022	Local Authority
North Lanarkshire Licensing Board	15/11/2022	Local Authority
Ayrshire Valuation Joint Board	16/11/2022	Local Authority
Orkney Islands Council	18/11/2022	Local Authority
Orkney Islands Licensing Board	18/11/2022	Local Authority
Historic Environment Scotland	05/12/2022	Culture, Leisure and Science
Tayside Valuation Joint Board	05/12/2022	Local Authority
NHS Golden Jubilee	09/12/2022	Health and Social Care
Caledonian Maritime Assets	16/12/2022	Transport
NHS Lanarkshire	29/12/2022	Health and Social Care
General Teaching Council for Scotland	16/01/2023	Governance
West Dunbartonshire Council	23/01/2023	Local Authority

Authority	Final Report sent to CEO/SO	Sector
West Dunbartonshire Licensing Board	23/01/2023	Local Authority
Skills Development Scotland	31/01/2023	Economic Development
Lanarkshire Valuation Joint Board	31/01/2023	Local Authority
Renfrewshire Council	27/02/2023	Local Authority
Renfrewshire Licensing Board	27/02/2023	Local Authority
Scottish Qualifications Authority (SQA)	03/03/2023	Governance
Clackmannanshire Council	13/03/2023	Local Authority
Clackmannanshire Licensing Board	13/03/2023	Local Authority
Mental Welfare Commission for Scotland	31/03/2023	Health and Social Care

© Crown copyright 2023

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This document is also available from our website at www.nrscotland.gov.uk.

National Records of Scotland
General Register House
2 Princes Street
Edinburgh
EH1 3YY

Produced for National Records of Scotland by APS Group Scotland

Published by National Records of Scotland, December 2023

National Records of Scotland,
General Register House,
2 Princes Street, Edinburgh EH1 3YY

tel: +44 (0) 131 334 0380
email: public_records@nrscotland.gov.uk
www.nrscotland.gov.uk
