The Public Records (Scotland) Act 2011

Ayrshire Valuation Joint Board

Progress Update Review (PUR) Report by the PRSA Assessment Team

18th March 2024

Contents

1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal Assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

The Act has its origins in *The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995* (The Shaw Report) published in 2007. The Shaw Report recorded how its investigations were hampered by poor recordkeeping and found that thousands of records had been created, but were then lost due to an inadequate legislative framework and poor records management. Crucially, it demonstrated how former residents of children's homes were denied access to information about their formative years. The Shaw Report demonstrated that management of records in all formats (paper and electronic) is not just a bureaucratic process, but central to good governance and should not be ignored. A follow-up review of public records legislation by the Keeper of the Records of Scotland (the Keeper) found further evidence of poor records management across the public sector. This resulted in the passage of the Act by the Scottish Parliament in March 2011.

The Act requires a named authority to prepare and implement a records management plan (RMP) which must set out proper arrangements for the management of its records. A plan must clearly describe the way the authority cares for the records that it creates, in any format, whilst carrying out its business activities. The RMP must be agreed with the Keeper and regularly reviewed.

2. Progress Update Review (PUR) Mechanism

Under section 5(1) & (2) of the Act the Keeper may only require a review of an authority's agreed RMP to be undertaken not earlier than five years after the date on which the authority's RMP was last agreed. Regardless of whether an authority has successfully achieved its goals identified in its RMP or continues to work towards them, the minimum period of five years before the Keeper can require a review of a RMP does not allow for continuous progress to be captured and recognised.

The success of the Act to date is attributable to a large degree to meaningful communication between the Keeper, the Assessment Team, and named public authorities. Consultation with Key Contacts has highlighted the desirability of a mechanism to facilitate regular, constructive dialogue between stakeholders and the Assessment Team. Many authorities have themselves recognised that such regular communication is necessary to keep their agreed plans up to date following inevitable organisational change. Following meetings between authorities and the Assessment Team, a reporting mechanism through which progress and local initiatives can be acknowledged and reviewed by the Assessment Team was proposed. Key Contacts have expressed the hope that through submission of regular updates, the momentum generated by the Act can continue to be sustained at all levels within authorities.

The PUR self-assessment review mechanism was developed in collaboration with stakeholders and was formally announced in the Keeper's Annual Report published on 12 August 2016. The completion of the PUR process enables authorities to be credited for the progress they are effecting and to receive constructive advice concerning on-going developments. Engaging with this mechanism will not only maintain the spirit of the Act by encouraging senior management to recognise the need for good records management practices, but will also help authorities comply with their statutory obligation under section 5(1)(a) of the Act to keep their RMP under review.

3. Executive Summary

This Report sets out the findings of the Public Records (Scotland) Act 2011 (the Act) Assessment Team's consideration of the Progress Update template submitted for Ayrshire Valuation Joint Board.
The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

Ayrshire Valuation Joint Board was established by the Valuation Joint Boards (Scotland) Order 1995 to carry out the valuation functions of East Ayrshire, North Ayrshire and South Ayrshire Councils. It came into existence on 1st April, 1996 and was also given the responsibility of carrying out Electoral Registration on behalf of the three constituent authorities.

The composition of the membership of the Board is determined by the above Order and consists of 5 Councillors representing East Ayrshire Council, 6 Councillors representing North Ayrshire Council and 5 Councillors representing South Ayrshire Council.

In order to carry out the valuation and registration functions, the Joint Board is required by law to appoint an Assessor who is an independent statutory official and who will also be a Chartered Surveyor. The Assessor has also been appointed by the three constituent councils as Electoral Registration Officer. In pursuit of these duties the Assessor and Electoral Registration Officer is answerable to the Courts in terms of valuation or registration decisions.

The Joint Board, through the office of the Assessor and Electoral Registration Officer and her staff, carry out three main functions:

1. To produce and maintain the Valuation Roll which sets out the rateable values of all "lands and heritages" (except where excluded by statute) for rating purposes.

2. To prepare and maintain the Register of Electors.

3. To produce and maintain the Valuation List which sets out the banding of all dwellings for Council Tax.

5. Assessment Process

A PUR submission is evaluated by the Act's Assessment Team. The self-assessment process invites authorities to complete a template and send it to the Assessment Team one year after the date of agreement of its RMP and every year thereafter. The self-assessment template highlights where an authority's plan achieved agreement on an improvement basis and invites updates under those 'Amber' elements. However, it also provides an opportunity for authorities not simply to report on progress against improvements, but to comment on any new initiatives, highlight innovations, or record changes to existing arrangements under those elements that had attracted an initial 'Green' score in their original RMP submission.

The assessment report considers statements made by an authority under the elements of its agreed Plan that included improvement models. It reflects any changes and/or progress made towards achieving full compliance in those areas where agreement under improvement was made in the Keeper's Assessment Report of their RMP. The PUR assessment report also considers statements of further progress made in elements already compliant under the Act.

Engagement with the PUR mechanism for assessment cannot alter the Keeper's Assessment Report of an authority's agreed RMP or any RAG assessment within it. Instead the PUR Final Report records the Assessment Team's evaluation of the submission and its opinion on the progress being made by the authority since agreeing its RMP. The team's assessment provides an informal indication of what marking an authority could expect should it submit a revised RMP to the Keeper under the Act, although such assessment is made without prejudice to the Keeper's right to adopt a different marking at that stage.

Key:

G	The Assessment Team agrees this element of an authority's plan.	A	The Assessment Team agrees this element of an authority's progress update submission as an 'improvement model'. This means that they are convinced of the authority's commitment to closing a gap in provision. They will request that they are updated as work on this element progresses.	R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Assessment Team may choose to notify the Keeper on this basis.

Element	Status of elements under agreed Plan 19MAY16	Progress review status 17NOV22	Progress review status 18MAR24	Keeper's Report Comments on Authority's Plan 19MAY16	Progress Review Comment 17NOV22	Self-assessment Update as submitted by the Authority since 17NOV22	Progress Review Comment 18MAR24
1. Senior Officer	G	G	G	Update required on any change.	Thank you for updating the Assessment Team on the new Assessor and ERO. We have taken note of this. Update required on any change.	This remains unchanged.	No immediate action required. Update required on any future change.
2. Records Manager	G	G	G	Update required on any change.	Update required on any change.	This remains unchanged.	No immediate action required. Update required on any future change.
3. Policy	G	G	G	The records manager is currently developing a training programme for staff which is due to be rolled out in the summer of 2016. The Keeper commends this initiative and would welcome updates on this project.	The Assessment Team thanks you for this update on the implementation of a new line-of-business system, Evalu8. It is welcome news that the authority's Records Management Policy will be updated once Evalu8 has been fully implemented. The Team acknowledges that the overarching policy statement remains valid alongside the supporting guidance, even though the Records Management policy document itself continues to be under review.	Our new line-of-business system, Evalu8, has been introduced for our Non-Domestic services. However, some aspects of this system are still being developed. Accordingly, development work and user testing continues on certain aspects of this new system. The anticipated date for the transfer of our Council Tax services has been pushed back again. We aim to migrate our Council Tax data to Evalu8 in the very near future. Once migration is complete, we will begin user acceptance testing. We anticipate the roll out of our Council Tax services on Evalu8 to be much more straightforward and therefore much quicker. Our Records Management Policy is still under review and will be updated once our Non-Domestic and Council Tax functions have been integrated into Evalu8 and have been confirmed to be fully operational. All other supporting guidance documents, instructions, plans etc remain in place and operational. They will also be updated once Evalu8 is confirmed to be fully operational.	Thank you for this update. As you know, records managed on line-of-business systems, such as Evalu8, are public records under the Act and you must be confident that the basic records management principles explained in your Records Management Policy can be effectively pursued when you have implemented the new system (location, retention, destruction, security etc.) Obviously, it is not practical for the Keeper's Assessment Team to evaluate the functionality of every line-of-business system operated by the Scottish public sector so we rely on public authorities to satisfy themselves in this matter. In the case that a line-of-business system seems to lack appropriate records management provision the Keeper may require a statement from an authority's Senior Information Risk Owner that this risk is understood an accepted. This is more likely to be the case with a legacy system introduced some time ago and we would expect Evalu8 to be compliant either 'out-of-the-box' or with adjustment. However, we would appreciate an update on this matter at the time of your next update. As always, we will ensure that you are provided with a PUR template in 2024.
4. Business Classification	A	A	A	The Board has outlined how it intends to develop and implement its BCS, with the project consisting of two phases and a target period for completion of two years. The Keeper applauds this endeavour and	Thank you for this update. This element will remain at amber while AVJB is implementing the new core (line-of-business) system. We look	This remains unchanged. We recognise that this element has remained at amber since our RMP was introduced.	You have updated us on the new line-of-business system (see above) and provided an indication that this should be fully operational in 2024. At that time it should be possible for the VJB to create a business classification scheme (possibly combined

| | | | | requests that he is kept informed as work continues on this project.

The Board has also created document naming conventions and version control guidance for staff when adding records to the SharePoint system. The Keeper would be pleased to receive updates regarding the rolling-out of this guidance and any monitoring of compliance.

The 'Future Developments' of this section of the RMP states that the Board are considering the use of an Electronic Document Management System (EDMS). Whilst funding constraints have led to a postponement of this project, the Keeper requests updates if and when the Board begins to implement an EDMS.

The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the roll-out of the BCS) and has evidenced a commitment to closing this gap. Agreement of this element is dependent upon the Keeper being kept informed of the progress of this project. | forward to being updated on the progress of this in subsequent PURs | We look forward to finalising our Business Classification Scheme as soon as our new core system is fully operational.

We will ensure the Keeper is updated with respect to Element 4 of our RMP. | with the retention schedule?) That covers all the public records of the organisation and where they are managed. The Assessment Team have created guidance on this including how a 'business classification scheme' might be presented at: Guidance_Document_v1.0.pdf (nrscotland.gov.uk) (starting page 21)

The Assessment Team would expect an update on this matter in your next PUR. |
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| 5. Retention Schedule | **G** | **G** | **G** | Update required on any change | Update required on any change. | No change, our Retention Schedule continues to be reviewed and updated as appropriate. | Thank you for this update.

A retention schedule is a 'living document' and the specific reference to review and update is a welcome recognition of this. |
| 6. Destruction Arrangements | **A** | **A** | **A** | The Board is currently in the process of migrating electronic records from shared and personal drives to its SharePoint system. As part of this project, obsolete records will be identified and destroyed whilst user guidance concerning the naming and saving of documents will be revised and implemented. These measures, and the move to SharePoint itself, should allow a more consistent, systematic approach to applying the rules and disposal decisions listed in the retention schedules to electronic records.

The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the lack of a systematic method for the destruction of electronic records) and has provided evidence that it is working towards closing this gap. As part of the agreement of this element, the Keeper requests that he is kept informed of progress of work in closing the gap. | The Assessment Team thanks you for confirming that the SharePoint migration project remains ongoing, and that appropriate guidance continues to be provided to staff. It is also reassuring to hear that the new core system, Evalu8, has built-in records destruction functions.

Thank you for confirming that paper records continue to be appropriately destroyed as scheduled.

As this is still being implemented, and as files are still in the process of being migrated from shared drives to SharePoint, it is not possible to reliably implement digital records destruction. This Element will remain at Amber. The Assessment Team looks | With new legislation and a number of fundamental changes to the operational practices of Non-Domestic Rating and Council Tax over the past year, progress in moving electronic records from our shared drive to SharePoint has been much slower than expected.

Nevertheless we are still committed to completing this task as soon as possible.

Recently we have also started using Microsoft 365 more widely. This will also reduce our reliance on our shared drive.

In addition, with M365 and its built-in records destruction functions, it is anticipated that our practices and procedures in relation to destruction arrangements will be improved – in | The Assessment Team is pleased to note that there are two significant improvements to be reported this year:

1. The introduction of the new line-of-business system (see under element 3 above). This appears to bring with it automated retention/destruction functionality. The Assessment Team notes that this has not been fully tested.
2. The move from shared drives to M365. Many public authorities in Scotland are currently making this move and one of the benefits is recognised to be centralised control of retention/destruction. This is a notable improvement over the manual deletion process required in a shared-drive system.

The Assessment Team notes that both the move from shared drives to M365 and the scanning of paper records before destruction has been delayed |

					forward to future progress updates.	line with the benefits noted when our SharePoint site was introduced. As reported previously, all of this work is being undertaken in accordance with our Records Management Policies and Procedures, Retention Schedule and our SharePoint control documents; 1. AVJB SharePoint User Instructions. 2. AVJB SharePoint Development & Document Management. It is worth mentioning again that our new core system already has a retention schedule built in. Paper records continue to be destroyed in accordance with existing policies. It is still our aim to scan all non-domestic records, disappointingly, this task has been delayed due to other priorities and work pressures. Nevertheless, we are well aware of our records management responsibilities with respect to retention and destruction arrangements and this task will be undertaken in accordance with our existing policies.	due to changing priorities, but welcomes the commitment to pursue these when possible. While these pieces of work are progressing this element remains amber. The Assessment Team would welcome an update on progress at the time of your next PUR.
7. Archiving and Transfer	**A**	**G**	**G**	The Board has stated that discussions are underway to develop a Memorandum of Understanding governing the transfer of records selected for permanent preservation between this authority and Ayrshire Archives. The finalised MoU should be in place by October 2016. The Keeper commends this initiative and asks that he has sight of the signed-off MoU once available. The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (the lack of a formal agreement between the Board and Ayrshire Archives) and has provided evidence that it is working towards closing this gap. As part of this agreement the Keeper expects to be sent a copy of the signed MoU prior to October 2016. Once he receives this the Keeper should then be able to 'fully' agree the element. Should he fail to receive the finalised MoU the Keeper may choose to	Update required on any change.	This remains unchanged.	No immediate action required. Update required on any future change.

				review his decision to agree this element and, as this is a 'compulsory' element under the Public Records (Scotland) Act 2011, this may impact his agreement of the Board's RMP.			
8. Information Security	G	G	G	Update required on any change.	The Assessment Team is grateful for this update on Information Security arrangement. The comments resulting from an internal audit process are particularly positive, and it is clear from this update that AVJB is taking information security into account during the process of introducing a new core system. For the Assessment Team's comments on training updates, see Element 12.	It is still compulsory for all staff on an annual basis to undertake online training on Cyber Security Essentials. Staff induction still includes basic training on cyber security, data protection, information security, records management etc.	Thank you for this update. It is important that training in information security is repeated regularly, both to keep security in the forefront of staff attention, to capture any new processes that have recently been implemented and to highlight an new risks that have been identified. It is clear from the VJB's statement that this is recognised.
9. Data Protection	G	G	G	All staff are required to have completed compulsory online data protection training by the end of July 2016. The Board's records manager is also developing records management training but this has yet to be rolled-out. The Keeper would therefore be pleased to receive updates concerning these training initiatives.	Update required on any change.	This remains unchanged.	No immediate action required. Update required on any future change.
10. Business Continuity and Vital Records	G	G	G	As well as being identified in the Board's retention schedule, the Board is also working towards creating a separate Vital Records schedule which will identify vital records, detail where they are located, and how they are protected. The Keeper commends the creation of such a document and would welcome having sight of it once available.	Thank you for this update. It appears that AVJB Business Continuity Arrangements remain robust. The 6-monthly review process is noted with thanks. Update required on any change.	Our November 2022 update focussed on additional staff losses, increased supply chain disruptions to goods and services, more frequent power outages/utility failures, storm damage to buildings, cyber threats and potential ICT loss. Our May 2023 update was a more general review of existing plans but with an emphasis on ensuring the accuracy of the information contained in our Business Continuity Plan and key personnel involved in maintaining and implementing our Plan. The maintenance of our Business Continuity Plan/Strategy and Impact Analysis still remains a key priority for senior managers.	For the purposes of business continuity the Keeper is principally interest in record-recovery. It is important that all systems allow public records to be recovered in an emergency. This is particularly difficult in the case of paper records, where it is unlikely that multiple copies exist, but the Assessment Team recognises that the VJB is currently scanning these into digital format. Public records moved to M365 should be easily recovered even in the case of damage to in-house servers. Those on shared drives remain at some risk (unless these are backed-up to a separate remote server). Again the Assessment Team have been made aware that the use of shared drives is being phased out in the authority. It is important that, as part of the appraisal of the new Evalu8 system, the issue of record recovery is addressed and that the information governance team is clear how long back-up versions remain available.

						Public records are, of course, a business asset of the VJB. The statement opposite shows that Senior Management understand this.
11. Audit Trail	**A**	**A**	**G**	The Board is using the opportunity of the migration of electronic records to the SharePoint system to improve audit trail functionality by imposing a structure based on the BCS and by ensuring that staff comply with document naming and version control procedures. The Board is also trialling a File Removal Card system for the paper files retrieved from filing cabinets. This trial is to start in October 2016 and to last for six months. The Keeper applauds the efforts being made to improve audit trail capabilities for the Board's electronic and paper records and looks forward to receiving updates on the progress and success of these endeavours. The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in its record management provision (the tracking of paper records and electronic records being migrated to SharePoint) and has identified solutions which would allow it to close that gap. As part of this agreement the Keeper will need to be kept informed of the progress of this work.	The Assessment Team is grateful for this update on audit trail arrangements. It is clear that the implementation of a new line-of-business system will have an impact on this Element, and it is not unreasonable that consequently progress has been delayed in this area. South Ayrshire Council's internal audit involvement, and the positive comments with regard to accountable data migration procedures, are noted with thanks. Thank you for letting us know that AVJB intends to move away from paper-based records in the future. This is not an uncommon approach in the Scottish public sector. It is also evident that AVJB has a plan to implement this change gradually after Evalu8 is fully operational, and that there are functional paper record tracking mechanisms in place in the meantime. This Element will remain at Amber as AVJB continues to implement a new core system, and while the file migration from shared drives to SharePoint is ongoing. The Assessment Team look forward to further updates in subsequent PURs.	Our focus still remains the full implementation of our new line-of-business system, Evalu8. Once implemented we expect our electronic audit trail procedures to vastly improve. Until full implementation of Evalu8 we will continue to hold and use paper-based records. Any transfer of paper-based records to Evalu8 will be undertaken in accordance with existing records management policies. For our paper-based records, we continue to operate a file tracking system. As reported previously, this comprises a simple card system which records the removal and replacement of paper files. Whilst this system undoubtedly has many benefits in the tracking and retrieval of files, it has led to our filing cabinets being less tidy which has also led to some damage of the paper files and in some instances the filing cabinets. We are constantly having to remind staff to ensure tracking cards are placed neatly between files and all files are placed within the perimeter of the shelf they are being stored on. Notwithstanding the above, we recognise the benefits of being able to quickly locate and retrieve a paper file. Through time staff will learn to store tracking cards properly and keep all filing tidy and secure.	Thank you for this update. Paper: You note that the current file tracking system is not necessarily optimal, but it seems that the daily use of hard copy records is being phased out anyway. There seem to be no indication that paper records cannot currently be located. Shared Drives: In order to correctly locate and identify records on shared drives it is important that records are consistently named and that version control is applied. In the original 2016 submission AVJB submitted a document naming/version control guidance document. There is no suggestion that this guidance is not followed. M365 Platform (SharePoint): SharePoint automates version control, but in order for a user to properly use the powerful e-discovery tool, consistent naming is still important. As with shared drives the naming convention guidance is important and there is no suggestion that this guidance is not followed. Evalu8 line-of-business system: As noted at element 3, the new line-of-business system is not yet fully tested, but the Assessment Team is satisfied that it will almost certainly include the relevant functionality to locate records, and identify versions, when required. Bearing the above in mind, and assuming the Evalu8 system provides the expected operational document tracking, it is likely that if this were a formal PRSA resubmission this element would now achieve a Green 'fully compliant' grading from the Keeper.
12. Competency Framework	**G**	**G**	**G**	The 'Future Developments' section of this element indicates that the Board is considering a number of initiatives under this element, including making the Information Security training package compulsory for all staff, introducing training on the requirements of PRSA within the next year, and producing a PRSA staff Information Sheet which will be included in staff induction packages. The Keeper commends these planned endeavours and asks that he is kept	The Assessment Team is pleased to hear that PRSA Surgeries remain relevant and welcome, and that staff are encouraged to attend these events when possible. As reported under Element 8, AVJB continues to ensure that staff receives training on cyber security on an ongoing basis, and that upon induction, data protection, information security,	As reported previously, the Records Manager continues to attend the PRSA Teams online training and surgeries when he can. We also encourage other staff to attend any online training when possible. The Head of Valuation Services, who is the AVJB Records Manager, delivered records management training to all staff during May 2022. Refresher training is being prepared for staff who could not attend the original training and for new staff.	Thank you for this update. It is welcome news that records management training continues in the VJB. There will, of course, be training required on the new Evalu8 system once it is implemented. This should include a records management element. The Assessment Team notes that records management training will be provided to new staff.

				informed of progress and that he has sight of any new documentation created.	and general records management are addressed. It is also positive to hear that additional training on records management, including GDPR/DPA and FOI is being rolled out.	Training on GDPR and FOI will be rolled out in the near future to all staff.	
13. Assessment and Review	G	G	G	The RMP and associated policies and procedures will be regularly monitored through the Corporate Governance Forum and the use of a self-audit mechanism. In future the Board may consider use of the Archives and Records Management Services (ARMS) Quality Improvement Framework as a tool for measuring compliance. The Keeper welcomes this proactive approach to regular self-assessment, and asks for updates, particularly if internal reviews lead to significant changes in records management arrangements.	Thank you for this positive update. It is reassuring to hear that a review and update of policies, procedures and guidelines to better reflect the structures and practices currently in place is ongoing. Ayrshire Valuation Joint Board is also to be commended for its continuing engagement with the Progress Update Review (PUR) process.	This remains unchanged, all policies, procedures and guidelines continue to be updated and reviewed.	No immediate action required. Update required on any future change.
14. Shared Information	G	G	G	Update required on any change	Update required on any change.	This remains unchanged, DSA's are regularly reviewed. New DSA's are introduced as and when required.	No immediate action required. Update required on any future change.

7. The Public Records (Scotland) Act Assessment Team's Summary

<u>Version</u>

The progress update submission which has been assessed is the one received by the Assessment Team on 31 August 2023. The progress update was submitted by John McConville, Head of Valuation Services & Assistant ERO.

The progress update submission makes it clear that it is a submission for **Ayrshire Valuation Joint Board**.

The Assessment Team has reviewed Ayrshire Valuation Joint Board's Progress Update submission and agrees that the proper record management arrangements outlined by the various elements in the authority's plan continue to be properly considered. The Assessment Team commends this authority's efforts to keep its Records Management Plan under review.

<u>General Comments</u>

Ayrshire Valuation Joint Board continues to take its records management obligations seriously and is working to bring all elements into full compliance.

Section 5(2) of the Public Records (Scotland) Act 2011 provides the Keeper of the Records of Scotland (the Keeper) with authority to revisit an agreed plan only after five years has elapsed since the date of agreement. Section 5(6) allows authorities to revise their agreed plan at any time and resubmit this for the Keeper's agreement. The Act does not require authorities to provide regular updates against progress. The Keeper, however, encourages such updates.
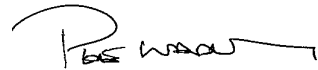
The Keeper cannot change the status of elements formally agreed under a voluntary submission, but he can use such submissions to indicate how he might now regard this status should the authority choose to resubmit its plan under section (5)(6) of the Act.

8. The Public Records (Scotland) Act Assessment Team's Evaluation

Based on the progress update assessment the Assessment Team considers that Ayrshire Valuation Joint Board continue to take their statutory obligations seriously and are working hard to bring all the elements of their records management arrangements into full compliance with the Act and fulfil the Keeper's expectations.

The Assessment Team recommends authorities consider publishing PUR assessment reports on their websites as an example of continued good practice both within individual authorities and across the sector.

This report follows the Public Records (Scotland) Act Assessment Team's review carried out by

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Pete Wadley
Public Records Officer