

The Public Records (Scotland) Act 2011

East Dunbartonshire Integration Joint Board

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

3rd October 2023

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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 **Draft** 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 East Dunbartonshire Integration Joint Board. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

The East Dunbartonshire Integration Joint Board (the IJB) was established under the Public Bodies (Joint Working) Scotland Act 2014. The IJB is a body corporate (a separate legal entity). It is accountable for the stewardship of public funds and is expected to operate under public sector best practice governance arrangements, proportionate to its transactions and responsibilities. Stewardship is a major function of management and, therefore, a responsibility placed upon the appointed members and officers of the Board.

The Health & Social Care Partnership pursues the principles of sound corporate governance within all areas of its affairs. Its Audit Committee is an essential component of the governance of the Health & Social Care Partnership Board detailed within its Financial Regulations.

The IJB consists of six voting members appointed in equal number by the NHS Board and the Council, with a number of representative, non-voting members who are drawn from the third sector, independent sector, staff, carers and service users. The IJB is advised by a number of professionals including the Chief Officer, Chief Finance & Resources Officer, Clinical Director, Chief Nurse and Chief Social Work Officer.

For the purposes of the Public Records (Scotland) Act, the Board (scheduled as the East Dunbartonshire Integration Joint Board) is the scheduled authority rather than the 'Health & Social Care Partnership'.

[East Dunbartonshire Health and Social Care Partnership Board | East Dunbartonshire Council](#)

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.
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6. Progress Update Review (PUR) Template: East Dunbartonshire Integration Joint Board

Element	Status of elements under agreed Plan 09DEC21	Status of evidence under agreed Plan 09DEC21	Progress review status 03OCT23	Keeper's Report Comments on Authority's Plan 09DEC21	Self-assessment Update as submitted by the Authority since 09DEC21	Progress Review Comment 03OCT23
1. Senior Officer	G	G	G	<p>Update required on any change to senior staff member identified as holding corporate responsibility for records management.</p> <p>The <i>RMP</i> also includes the following action against this element "Further Development IJB Records Management Procedure, which identifies roles and responsibilities, will be produced once the RMP has been approved." This is a welcome idea and the Keeper requests that he is provided with a copy of this guidance if it is developed.</p>	<p>No change during interim period since December 2021.</p> <p>For East Dunbartonshire Council there has been no change, and updates to the East Dunbartonshire Council Records Management Plan has been postponed due to the migration over to Microsoft 365 project which will feed into a brand new suite of policies, procedures and new Records Management Plan based on those.</p> <p>The plan to further develop IJB Records Management Procedure identifying roles and responsibilities will progress in line with East Dunbartonshire Council</p>	<p>The Assessment Team thanks you for this update, and confirmation that East Dunbartonshire integration Joint Board continues to follow East Dunbartonshire Council's lead when developing its procedures in line with East Dunbartonshire Council's Records Management Plan (RMP). It is also acknowledged that the implementation of M365 will have implications to the Plan as well as adjacent policies and procedures. The Team look forward to further updates as the project progresses.</p>

					RMP.	
2. Records Manager	G	G	G	Update required on any change.	No change during interim period since December 2021. Remains Karen Watt, East Dunbartonshire Council Information and Records Manager with responsibility for IJB records held by EDC.	The Assessment Team thanks you for this update. The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and that this individual has appropriate corporate responsibility, access to resources and skills. The Keeper has agreed that, due to the partnership nature of an integration joint board, two individuals may be identified under this element. The Assessment Team will continue to list Vandrew McLean, HSCP Corporate Business Manager, and Karen Watt, East Dunbartonshire Council Information and Records Manager, as East Dunbartonshire Integration Joint Board's Key Contacts.
3. Policy	G	G	G	Update required on any change.	No change during interim period since December 2021.	Update required on any future change.
4. Business Classification	A	G	A	The <i>RMP</i> commits the authority to "Continue to review IJB records to ensure adherence to the BCS." (page 10). This is welcome. However, the <i>NHS Greater Glasgow and Clyde Records Management Plan</i> has been graded with an	M365 has progressed for NHSGG&C however work is still ongoing to implement new records management procedure.	Thank you for letting the Assessment Team know that work on M365 implementation and review of records management procedures is

				<p>amber for this element (a full business classification scheme has not yet been imposed on the organisation's records management system). The Keeper has determined that an IJB's plan cannot be given a RAG status superior to that of the partner body responsible for managing the IJB records.</p> <p>Therefore, the Keeper's agreement against this element will be on an amber 'improvement model' basis while the health board finalise their business classification and implements it on their new records management structure, which the Keeper understands will be a M365 solution.</p>	<p>NHSGGC have fully incorporated two electronic Information Assets Registers covering Personal Assets and Business Assets.</p> <p>The Board has a designated, Information Governance Officer with the day to day responsibility of managing the Information Asset Register. The management of the IAR is now a standing item on the Information Governance Steering Group Agenda.</p>	<p>ongoing.</p> <p>It is good to hear that there is now a combined IAR with both personal and business assets, and that there is an Information Governance Officer with responsibility for managing this and reporting back to the IG Steering Group.</p> <p>This Element will remain at Amber until the improvement actions have been completed by the partner body responsible for managing the IJB records.</p> <p>Update required on any future change.</p>
5. Retention Schedule	G	G	G	Update required on any change.	No change during interim period since December 2021.	Update required on any future change.
6. Destruction Arrangements	G	G	G	Update required on any change.	No change during interim period since December 2021.	Update required on any future change.
7. Archiving and Transfer	G	G	G	Update required on any change.	<p>No change during interim period since December 2021.</p> <p>For East Dunbartonshire Council there has been no change, and updates to</p>	<p>The Assessment Team thanks you for letting us know that there have been no major updates to this Element.</p> <p>See Element 13 for comments on RMP update and review.</p>

					the East Dunbartonshire Council Records Management Plan has been postponed due to the migration over to Microsoft 365 project which will feed into a brand new suite of policies, procedures and new Records Management Plan based on those.	
8. Information Security	G	G	G	Update required on any change.	No change during interim period since December 2021.	Update required on any future change.
9. Data Protection	G	G	G	Update required on any change.	No change during interim period since December 2021. Data Protection East Dunbartonshire Council Data Protection & Privacy - NHSGGC	Thank you for letting us know there have been no major changes to East Dunbartonshire IJB's Data Protection Arrangements. The Assessment Team also acknowledges the publicly-available linked data protection statements with thanks. Update required on any future change.
10. Business Continuity and Vital Records	A	G	A	The Keeper has previously agreed the business continuity arrangements in NHS Greater Glasgow and Clyde and in East Dunbartonshire Council. However, the Keeper's agreement of this element of the council's RMP was under improvement model terms. At the time of their	No change during interim period since December 2021. For East Dunbartonshire Council there has been no	Thank you for letting us know there have been no changes to the Council's procedures, and for confirming that the Council's Business Continuity Plan (which would encompass

				<p>submission, East Dunbartonshire Council were developing a <i>Business Continuity Plan</i> that would encompass all its services. The objective of creating, rolling out and publishing a comprehensive plan was a target in the Records Management Improvement Action Plan. The agreement is conditional on him being provided with a copy of the <i>Business Continuity Plan</i> when it had been approved by the relevant governance groups in the Council. However, this has not yet been provided.</p> <p>As with element 4 above, the Keeper has determined that an IJB's plan cannot be given a RAG status superior to that of the partner body responsible for managing the IJB records.</p> <p>Therefore, the Keeper agrees this element of East Dunbartonshire Integration Joint Board's Records Management Plan under the same improvement model terms applied to that of East Dunbartonshire Council.</p>	<p>change, and updates to the East Dunbartonshire Council Records Management Plan has been postponed due to the migration over to Microsoft 365 project which will feed into a brand new suite of policies, procedures and new Records Management Plan based on those.</p>	<p>the Integration Joint Board) is not yet available. For comments on RMP and adjacent policy and procedure update and review, see Element 13.</p> <p>This Element will remain at Amber until the improvement actions have been completed by the partner body responsible for managing the IJB records.</p> <p>Update required on any future change.</p>
11. Audit Trail	A	G	A	<p>The Keeper has previously agreed that the record tracking and identification arrangements in NHS Greater Glasgow and Clyde and in East Dunbartonshire Council. However, he agreed this element of East Dunbartonshire Council's <i>Records Management Plan</i> under 'improvement model' terms (February 2016). This means that he acknowledges that the Council had identified a gap in their records management provision (audit trails were not in a structured, consistent or centralised format). He agreed that the authority had committed to closing that gap. The Keeper's agreement was conditional on him being updated as the project progressed. The Council has yet to provide an update, so their plan remains at 'amber'.</p>	<p>No change during interim period since December 2021.</p>	<p>The Assessment Team understands that improvements in this Element currently rely heavily on the ongoing M365 implementation. The full implementation of the new eRDM system will help East Dunbartonshire IJB, alongside East Dunbartonshire Council, in closing this gap.</p> <p>This Element will remain at Amber until the improvement actions have been completed</p>

				As with elements 4 and 10 above, the Keeper can agree this element of the Integration Joint Board's <i>Records Management Plan</i> under the same amber 'improvement model' terms as its 'host' authority.		by the partner body responsible for managing the IJB records.
12. Competency Framework	G	G	G	Update required on any change.	No change during interim period since December 2021.	Update required on any future change.
13. Assessment and Review	G	G	G	Update required on any change.	No change during interim period since December 2021.	As reported under Elements 7 and 10, it is acknowledged that RMP assessment and review has been put on hold until the Council's implementation of Microsoft 365 is complete, as this will necessitate a large-scale review of policies and procedures. East Dunbartonshire IJB should be commended for its participation in the PUR process.
14. Shared Information	G	G	G	Update required on any change.	No change during interim period since December 2021.	Update required on any future change.
15. Records Created or Held by Third Parties	N/A	N/A	N/A	The Keeper agrees that this element is not applicable. Update required on any change.	N/A	Update required on any future change.

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

Version

The progress update submission which has been assessed is the one received by the Assessment Team on 27th March 2023. The progress update was submitted by Vandrew McLean, HSCP Corporate Business Manager.

The progress update submission makes it clear that it is a submission for **East Dunbartonshire Integration Joint Board**.

The Assessment Team has reviewed East Dunbartonshire Integration 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.

General Comments

East Dunbartonshire Integration 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 East Dunbartonshire Integration 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

A handwritten signature in blue ink that reads "Iida Saarinen". The signature is written in a cursive, flowing style.

Iida Saarinen
Public Records Officer