

The Public Records (Scotland) Act 2011

Scottish Ambulance Service

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

10th August 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 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 Scottish Ambulance Service. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

Operations are co-ordinated through three Ambulance Control Centres. These centres dispatch responses to 999 calls, arrange patient transport services to hospitals as requested by other medical professionals and manage air ambulance response. The Air Ambulance operates from Inverness, Aberdeen and Glasgow and operates across the country with two fixed wing aircraft and two helicopters.

The Scottish Ambulance Service National Headquarters is in Edinburgh. Executive directors are based there, along with other administrative functions such as finance, personnel and corporate affairs. Training and development services are run from the Scottish Ambulance Academy at Glasgow Caledonian University.

A board is responsible for ensuring that the Scottish Ambulance Service meets all of its obligations to patients and staff. The Board is made up of:

- a non-executive chairman
- the chief executive
- eight non-executive directors including an employee director
- five executive directors

The chairman and non-executive directors are appointed by the Scottish Government through the Commissioner for Public Appointments. The chief executive and other executive directors are appointed through a process of public advertising and formal interview.

<http://www.scottishambulance.com/>

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:

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| 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: Scottish Ambulance Service

| Element | Status under agreed Plan 12NOV15 | Progress review status 18JUN21 | Progress review status 10AUG23 | Keeper's Report Comments on Authority's Plan 12NOV15 | Self-assessment Update 08APR2021 | Progress Review Comment 18JUN21 | Self-assessment Update as submitted by the Authority since 18JUN21 | Progress Review Comment 10AUG23 |
|----------------------------|----------------------------------|--------------------------------|--------------------------------|---|--|---|---|---|
| 1. Senior Officer | G | G | G | Update required on any change | Pauline Howie, Scottish Ambulance Service Chief Executive, has overall accountability for records management throughout the Service. Senior management responsibility is devolved to Frances Dodd, Director of Care Quality and Professional Development. Prof Dodd is SAS's Senior Information Risk Owner and chairs the Information Governance Committee. | The Assessment Team thanks you for this update which has been noted. | Michael Dickson Scottish Ambulance Service Chief Executive, has overall accountability for records management throughout the Service. Senior management responsibility is devolved to Paul Bassett Deputy Chief Executive Paul is SAS's Senior Information Risk Owner and chairs the Information Governance Committee. | The Assessment Team thanks you for this update which has been noted. Update required on any future change. |
| 2. Records Manager | G | G | G | Update required on any change. | No changes or updates. | Update required on any change. | Claire Goodwin, Records Management Officer, has been in post since 28 th February 2022 and has day-to-day operational responsibility for records management at SAS. | The Assessment Team thanks you for this update which has been noted. Updated required on any future change. |
| 3. Policy | G | G | G | Update required on any change. | There have been no major reviews or updates to the <i>Records Management Policy</i> since submission of the 2020 PUR. Unfortunately, this policy review has been delayed over the past year but will be completed as soon as possible. | Thank you for confirming there have been no updates to the Records Management Policy, and that a scheduled review will take place as soon as possible. | SAS Records Management Policy approved and available on Records Management intranet page, with a collection of Records Management resources, including access to Records Management eLearning training module. | Thank you for confirming that Scottish Ambulance Service's Records Management policy is operational, and has been made available to staff on the RM intranet page alongside relevant training. Update required on any future change. |
| 4. Business Classification | A | A | A | The Scottish Ambulance Service is embarking on a project to populate and roll-out a full Business Classification Scheme (BCS) within the next five years. This Scheme is being developed in line with guidance from the <i>NHS Scotland Code of Practice</i> and, once completed, the BCS will be used to populate any EDRMS adopted by the service. The Keeper commends this approach, particularly the principle of local involvement in creating a detailed classification, and requests updates as work progresses on this project. | The Information Asset Register Project and the Microsoft365 Project are ongoing, and business classification remains a key focus for the Service, especially as we continue the implementation of M365. The Records Management Officer continues to be involved with the NHSS Records Management Forum, including in the newly formed IAR SLWG. It is anticipated that | The Assessment Team thanks you for this update on ongoing focus on business classification as well as the ongoing implementation of the Information Asset Register and Microsoft 365. This element remains at Amber while the work is ongoing. The | The Information Asset Register Project and the Microsoft365 Project are still ongoing, and business classification remains a key focus for the Service, especially as we continue the implementation of M365. The Records Management Officer continues to be involved with | Thank you for this update. It is good to hear that SAS continues to work on its IAR, as well as the major task of implementing M365 as the new EDRMS. SAS's continuing involvement in the NHSS Records Management Forum and |

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| | | | | The Keeper can agree this element of the Scottish Ambulance Service's Records Management Plan on 'improvement model' terms. This means that he acknowledges that the authority has identified a gap in provision (full business classification not rolled out throughout the authority) and has put procedures in place to close that gap. He agrees this element on the condition that the Service provides updates on the progress of this important project. | progress will continue at pace for all parts of this element in the year ahead. | Team looks forward to updates in consecutive PURs. | the NHSS Records Management Forum, including the previously formed IAR SLWG. It is anticipated that progress will continue at pace for all parts of this element in the coming year. | shared projects is also very positive. This Element will remain at Amber while the work continues. The Team look forward to being updated on progress in subsequent PURs. |
| 5. Retention Schedule | G | G | G | Update required on any change. | The <i>Documents Storage, Disposal and Retention Policy</i> was updated and v3.00 was published and circulated throughout the Service in August 2020. This policy includes the Retention Schedule, which has been updated to reflect the <i>Scottish Government Records Management Health & Social Care Code of Practice (Scotland) 2020</i> . We anticipate this policy will be again reviewed as the IAR Project and the M365 Project progresses and new record types are identified. | The Assessment Team is pleased to hear that key policies are being reviewed on schedule, regardless of the disruption caused by the COVID-19 pandemic. It is also welcome news that major changes to information management practices and procedures trigger an early review. | Updated Document storage, Disposal and Retention Policy available and circulated for all on internal Records Management Intranet page. | Thank you for letting the Assessment Team know that Scottish Ambulance Service has updated their Document Storage, and that the Disposal and Retention Policy has been made available on the intranet. Update required on any future change. |
| 6. Destruction Arrangements | A | A | A | The Scottish Ambulance Service have recognised the need to develop and implement comprehensive policies and staff guidance on the confidential disposal of records. This is particularly relevant for electronic records, with the authority aware that disposal procedures for these records are still currently in their infancy. The Keeper commends the authority's commitment to improve its arrangements and requests a submission of the new Guidance once it becomes available. The Keeper likewise recognises that the authority's implementation of a BCS should greatly assist implementing processes for the irretrievable and controlled destruction of electronic records. The Keeper agrees this element under 'improvement model' terms. This means that an authority has correctly identified a gap in their records management provision (the management of electronic records destruction is not fully embedded in the organisation) and have put processes in place to close that gap. The Keeper's agreement is conditional on him being provided with updates as the business classification/EDRMS project progresses. | While destruction arrangements were a projected focus of 2020, unfortunately due to the ongoing COVID-19 pandemic, work has slowed on this front. This is primarily due to resources being focused in other directions, but also due to physical limitations brought about by lockdown, such as being unable to do site visits. However, review and destruction processes will come back into focus as 'business-as-usual' projects, including the M365 Project and the IAR Project, continue. As noted in SAS's 2020 PUR, there is still a gap in provision in terms of the review and disposal of digital records. While this is undoubtedly a long-term project, there are current developments that should assist in closing this gap. These include the IAR Project and the M365 Projects, as mentioned above, as well as the revised Retention Schedules in the <i>Documents Storage, Retention & Disposal Policy</i> , and the <i>Records Review & Disposal Register v3.00</i> . The IAR and M365 projects will continue throughout 2021/22 and it is anticipated that the implementation of SharePoint as SAS's EDRMS will greatly improve and streamline | It is unfortunate but understandable that the COVID-19 pandemic has complicated planned progress on this element. It appears that the Scottish Ambulance Service continues to maintain awareness of limitations in its destruction and retention arrangements and has a broad plan and timeline in place to rectify them. Keeping policies and registers up to date at a time of change in processes and procedures is important. The implementation of the new IAR and especially M365 and SharePoint will have to take responsible destruction arrangements into account throughout the process. The Assessment Team is confident that the SAS understands the importance of this element. It will remain at Amber while the authority works towards full compliance. | Work is planned to pick up this piece of work in the coming months ahead. At present guidance resources have been created to assist staff for when using offsite storage to help educate on the purpose of offsite storage and when to deter from using such storage. | Thank you for this update. The Assessment Team hopes that this work can begin to move forward as soon as practicable. In the meantime, it is great to hear that guidance resources have been created to help staff make appropriate decisions regarding offsite storage. This Element will remain at Amber while the work continues. The Assessment Team look forward to being updated on progress in subsequent PURs. |

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| | | | | | review and disposal processes for digital records throughout the Service. We are hopeful that as soon as in-person site visits become a viable option, we can continue the work on review and disposal of paper records held in stations, as well as off-site storage. They will allow SAS to determine where improvements can be made, specifically in terms of consolidating offsite storage locations, streamlining the process of transferring and logging records offsite, and revising the use of external contractors for confidential waste disposal. | | | |
| 7. Archiving and Transfer | G | G | G | Update required on any change. | SAS is currently working with NRS to update the Memorandum of Understanding to the 2021 version. | The Assessment Team commends the Scottish Ambulance Service's liaison with the NRS regarding long-term preservation of records. Update required on any change. | Currently progressing with NRS to agree on an updated Deposit of Agreement. | The Assessment Team is grateful for this update which has been noted. We commend SAS for continuing to work on an updated Deposit Agreement with NRS. Update required on any future change. |
| 8. Information Security | G | G | G | Update required on any change. | No major updates or changes. | Update required on any change. | No changes. | Update required on any future change. |
| 9. Data Protection | G | G | G | The Scottish Ambulance Service show a strong commitment under this element, as evidenced by their plan to review their <i>Data Protection Policy</i> . The Keeper commends this initiative and requests that any updated version is forwarded when available in order that he may keep the Service's submission up to date. | The Data Protection Notice can be found on SAS's website: https://www.scottishambulance.com/data-protection-notice/ | The Team thanks for the link provided. It is contented that the Scottish Ambulance Service continues to show commitment to data protection principles. | No major updates or changes from PUR in 2021. | Update required on any future change. |
| 10. Business Continuity and Vital Records | A | A | A | The authority recognises that they do not currently have a service-wide Business Continuity Plan and they are committed to developing one which will include the identification of vital records. The Keeper agrees this element of the Scottish Ambulance Service's Records Management Plan under 'improvement model' terms. This means that the authority has identified a gap in its records management provision (business continuity arrangements are in development) and have put processes in place to close that gap. The Keeper's agreement is conditional on the Service providing updates as the project develops. | No major updates. Work continues both the IAR Project and the service-wide Business Continuity Plan. | Thank you for confirming there have been no major updates to this element. This element will remain at Amber while the work is ongoing. The Assessment Team look forward to receiving updates on progress in consecutive PURs. | Ongoing work continues with both IAR and Service -wides Business Continuity plan. Work is beginning to develop within the service-wide continuity plans with identifying records management element within the business impact assessment tool for staff to establish acceptable recovery plan. | It is good that that work on the Information Asset Register and Business Continuity Plan continues, as this will make SAS better prepared in the case of an unexpected event. It is also good to know that work is taking place to identify records management elements within the Business impact Assessment Tool in order to establish a vital records recovery plan. |

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| | | | | | | | | This Element will remain at Amber while the work continues. The Team look forward to being updated on progress in subsequent PURs. |
| 11. Audit Trail | A | A | A | Currently there is no overarching system that allows all records to be efficiently tracked and located. The Scottish Ambulance Service is developing a BCS to assist in record location and have submitted a <i>Document Version Control and Naming Conventions</i> document in the meantime. The Keeper agrees this element on 'improvement model' terms. This means that he acknowledges that the Scottish Ambulance Service have identified a gap in provision (unstructured records cannot be satisfactorily tracked) and have put programmes in place to close that gap (the business classification/EDRMS project). The Keeper's agreement is conditional on him being provided with updates as the project progresses. | No major updates. Work continues enhancing recording, tracking and auditing through the M365 and IAR projects. | The Assessment Team thanks Scottish Ambulance Service for confirming there have been no major updates to this element. The Team looks forward to hearing of progress in consecutive PURs, especially with regard to the implementation of M365 and the Information Asset Register. This element will remain at Amber while the work is ongoing. | Introduction of new version control through MS365 across SAS. Naming Conventions policy and guidance are available on Records Management staff intranet page. | Thank you for this update. The introduction of M365 as the new EDRMS will take time, but this should result in more robust, automated audit trail arrangements. It is also good to hear that Naming Conventions Policy and Guidance continues to be available to staff. Accompanying training on this may also be helpful in ensuring consistent implementation of the Naming Conventions Policy by all staff. This Element will remain at Amber while the work continues. The Team look forward to being updated on progress in subsequent PURs. |
| 12. Competency Framework | G | G | G | The Keeper commends this authority's aim to have a Records Management Champion within each directorate. The Keeper encourages this principle as likely to establish better engagement with the Plan in local business areas. He would be interested in receiving updates on this project. | No major updates. Work continues with the Information Champions throughout SAS as part of the IAR Project. | Thank you for confirming there have been no major updates to this element. | No major updates or changes. | Update required on any future change. |
| 13. Assessment and Review | G | G | G | The Scottish Ambulance Service demonstrates its compliance under this element by its scheduled review of the Plan by December 2016 and the reporting of findings at the quarterly meetings of the Audit Committee. The Keeper commends this approach and would be interested in receiving updates on any reviews concerning records management policies and guidelines. | No major updates. Actions continue to be monitored by the Audit Committee by means of a report presented at each quarterly meeting by the Head of Business Intelligence. | Thank you for confirming there have been no major updates to this element. | No major updates or changes. | Update required on any future change. |
| 14. Shared Information | G | G | G | Updates required on any change. | No major updates. SAS's registration with the ICO is up to date with the registration number Z5417525. | Thank you for letting the Team know there have been no major updates to this element. | No major updates or changes. | 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 28th February 2023. The progress update was submitted by Claire Goodwin, Records Management Officer.

The progress update submission makes it clear that it is a submission for **Scottish Ambulance Service**.

The Assessment Team has reviewed Scottish Ambulance Service'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

Scottish Ambulance Service 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 Scottish Ambulance Service 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



Lida Saarinen
Public Records Officer