

The Public Records (Scotland) Act 2011

Angus Integration Joint Board

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

19th April 2021

Contents

1. The Public Records (Scotland) Act 2011.....	3
2. Progress Update Review (PUR) Mechanism.....	4
3. Executive Summary.....	5
4. Authority Background.....	5
5. Assessment Process.....	6
6. Records Management Plan Elements Checklist and PUR Assessment.....	7- 11
7. The Public Records (Scotland) Act Assessment Team's Summary.....	12
8. The Public Records (Scotland) Act Assessment Team's Evaluation.....	12

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

4. Authority Background

The Angus Health and Social Care Partnership directs and plans all adult health and social care services in Angus. The partnership has representatives from: NHS Tayside, Angus Council, third sector organisations and independent contractors such as GPs and local pharmacists.

These organisations will share information and provide co-ordinated services to local people.

It is planned that this will improve the quality and consistency of services for patients, service users, carers, families and communities.

The work of the partnership is overseen by the **Integration Joint Board**, which is the authority scheduled under the Public Records (Scotland) Act 2011 (the Act).

https://www.angus.gov.uk/social_care_and_health/angus_health_and_social_care_partnership/angus_integration_joint_board_guide

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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Progress Update Review (PUR) Template: Angus Integration Joint Board

Element	Status of elements under agreed Plan 20AUG19	Status of evidence under agreed Plan 20AUG19	Progress assessment status 19APR21	Keeper's Report Comments on Authority's Plan 20AUG19	Self-assessment Update as submitted by the Authority since 20AUG19	Progress Review Comment 19APR21
1. Senior Officer	G	G	G	Update required on any change.	SIRO email address updated to: Alison.Clement@nhs.scot	The Keeper's Assessment Team thank Angus Integration Joint Board for this update. Update required on any change.
2. Records Manager	G	G	G	Update required on any change.	No Change	Update required on any change.
3. Policy	G	G	G	Update required on any change.	Access to Information, Data Protection, Information Security, and Records Management policies reviewed as planned – no changes	Thank you for this update confirming the completion of planned reviews of information governance policies. Update required on any change.
4. Business Classification	A	G	A	Update required on any change. The Keeper agrees this element of the Angus Integration Joint Board's Records Management Plan under improvement model terms. This reflects the current grading of this element in both the Council and Health Board plans. It means that the Keeper is convinced that both partner authorities are working towards making this element compliant and that when complete that work will allow the Keeper to fully agree this element for the Council, Health Board and any other authorities who have adopted the Council and Health Board arrangements. The IJB will fall into this category. This applies to other elements below.	We are currently in the process of migrating all non-client records held by the IJB, or on its behalf by NHS Tayside and Angus Council, to a secure intranet within the Angus Council Office 365 tenant. Effectively this will mean bringing all non-client records relating to the IJB under the IJB's direct control. In this context we are reviewing the IJB's Business Classifications Scheme to better reflect integrated working. We have developed pre-structured document libraries based on the relevant SCARRS categories which will form a mandatory core structure within each operational team's file storage within SharePoint online. This will help to ensure non-client records are stored and managed systematically and allow us to generate a more consistent information asset register. In the meantime we have compiled an integrated information asset register covering both NHS and LA elements of the IJB's business.	The Keeper is aware of the transition to Office 365 (O365) in both NHS Tayside and in Angus Council. It is commendable that the IJB is monitoring this and understands the extra levels of control that the new solution will provide. The work carried out in advance of the migration of records to O365 and to enhance the information asset register is also commended by the Assessment Team. The IJB has confirmed non-client records refer to business records which do not relate to service users such as minutes of meetings, financial records, planning documents, letters and emails not relating to specific individual service users, etc. These include the corporate records of Angus IJB and also non-client records created by NHS Tayside and Angus Council in carrying out the functions of Angus IJB under statutory direction by the IJB in terms of sections 26 and 27 of the Public Bodies (Joint Working) (Scotland) Act 2014. The Assessment Team understand these records are managed under the Angus IJB RMP.

						While work is ongoing the element will remain at Amber. We would welcome updates on progress in future PURs.
5. Retention Schedule	A	G	A	<p>Update required on any change.</p> <p>The Records Management Plan of Angus Council has been agreed by the Keeper under 'improvement model' terms for element 5. This means that the Council has identified a gap in provision in this element and is working towards closing that gap.</p> <p>Therefore, the Keeper agrees this element of the Angus Integration Joint Board's Records Management Plan under 'improvement model' terms.</p>	<p>As part of this process of migrating to Office 365, we are implementing systematic retention labelling within SharePoint online. Wherever possible, retention labelling will be applied to folders automatically or as part of automatic workflow tasks created in PowerAutomate.</p> <p>Current NHS and LA email and Skype retention policies will be retained.</p> <p>Negotiations are still ongoing with Angus Council in relation to retention policies for MS Teams and OneDrive for Business.</p> <p>As part of this work we are reviewing our schedules with a view to integrating them more fully and adapting them to make best use of the new digital storage platform. To date, we have agreed a suite of retention labels which cover most of the relevant SCARRS record categories.</p> <p>The majority of client records are stored within secure dedicated data management systems under the control of NHS Tayside or Angus Council. We are currently in the process of digitising all our client records with a view to these being stored within the same dedicated data management systems in the future.</p> <p>We continue to work with our partners to ensure that these systems comply with appropriate record classification, retention schedules, and certified deletion arrangements.</p> <p>In particular, we have worked closely with Angus Council and OLM to ensure that Eclipse is configured to meet our requirements in advance of migration of adult social care records from the CareFirst platform in early 2021.</p> <p>We continue to work with NHS Tayside to ensure appropriate information management arrangements, including retention and deletion, are in place for all client systems. However, most NHS Tayside client data systems are part of national NHS Scotland procurement arrangements and our influence in ensuring compliance with agreed retention schedules is consequently limited. This also applies to other aspects of record management including data protection.</p>	<p>For comments on O365 see element 4 above. It is also important that the potential information governance risks of applications such as Teams and One Drive are recognised and this has clearly been done.</p> <p>Notification of work being undertaken to review retention schedules in line with the move to O365 is welcomed by the Assessment Team.</p> <p>The IJB has confirmed client records refer to records of service users largely held within NHS Tayside or Angus Council in paper or electronic form. The records in question are created by NHS Tayside and Angus Council in carrying out the functions of Angus IJB under statutory direction by the IJB. in terms of sections 26 and 27 of that Act, and under the operational management of Angus IJB exercised through its Chief Officer.</p> <p>The Assessment Team acknowledge that the IJB liaises with its partner bodies, Angus Council and NHS Tayside, in the management of these records.</p> <p>While this work is ongoing the element will remain at amber. We would welcome updates on progress in future PURs.</p>

6. Destruction Arrangements	A	G	A	<p>Update required on any change.</p> <p>Both NHS Tayside and Angus Council have this element of their <i>Records Management Plans</i> agreed by the Keeper under ‘improvement model’ terms. In common with many Scottish public authorities, both the Council and the Health Board are not satisfied that the controlled deletion of those records held electronically is being universally carried out efficiently. Both authorities have submitted progress update reviews to the Keeper that show work is continuing to improve this situation. As the IJB utilises the systems of the partner bodies, this element remains ‘amber’ here until those partner bodies are confident that they can control the timely, secure, and irretrievable destruction of digital records when appropriate.</p> <p>This is recognised in the IJB <i>Plan</i> (page 15): “work in this area is ongoing and improvements continue to be made in this area for both Angus Council and NHS Tayside records. This is highlighted in the Angus Council Information Governance Improvement Plan and the NHS Tayside Improvement and Action Plan.”</p> <p>Therefore, the Keeper agrees this element of the Angus Integration Joint Board’s Records Management Plan under ‘improvement model’ terms.</p>	<p>We are currently in the process of migrating all non-client records held by the IJB, or on its behalf by NHS Tayside and Angus Council, to a secure intranet within the Angus Council Office 365 tenant. At the same time we are digitising all our paper client records with a view to transferring them to existing dedicated client data management systems. We intend to use retention labelling to enforce disposition reviews or automatic deletion at end of retention period and are applying deletion certification on all files.</p>	<p>For comments on O365 see element 4 above.</p> <p>The Assessment Team note the scanning work currently underway to convert hard-copy records into digital files.</p> <p>The IJB has confirmed that digitisation work is being undertaken by NHS Tayside and Angus Council staff who are under the operational management of the Chief Officer of the IJB and in accordance with Angus IJB policy.</p> <p>Both NHS Tayside and Angus Council have submitted progress update reviews to the Keeper that show work is continuing to improve the situation around controlled deletion of electronic records. As the IJB utilises the systems of the partner bodies, this element remains Amber until those partner bodies are confident that they can control the timely, secure, and irretrievable destruction of digital records when appropriate.</p> <p>We would welcome updates on progress in future PURs.</p>
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7. Archiving and Transfer	A	G	A	<p>The <i>Plan</i> notes that the formal agreement between NHS Tayside and Dundee University is being updated at the moment. The Keeper will need to see a copy of the revised agreement in order to fully agree this element of the IJB Plan. This requirement is recognised in the Plan.</p> <p>The Plan states (page 16) “As no records will reach the stage of archiving until 2022 a formal contract will be entered into with the Archivist for IJB records nearer the time.” The Keeper would encourage the IJB to set up a formal archiving agreement as soon as is practical, even if there is no immediate intention to deposit.</p> <p>The Records Management Plan of NHS Tayside has been agreed by the Keeper under ‘improvement model’ terms for element 7. This means that the Health Board has identified a gap in provision in this element.</p> <p>Therefore, the Keeper agrees this element of the Angus Integration Joint Board’s Records Management Plan under ‘improvement model’ terms awaiting formal agreement documents between the IJB and the partner bodies and between NHS Tayside and Dundee University Archives.</p>	<p>NHS Tayside have now concluded a formal agreement with Dundee University for the archiving of primarily patient records. The IJB’s paper records are currently being digitised with a view to making all the IJB’s records fully digital by the end of 2022. We are currently evaluating our requirements for digital archiving prior to commencing negotiations with potential contractors early next year.</p>	<p>The Assessment Team acknowledge that NHS Tayside now has a formal agreement in place for the deposit of records selected for permanent preservation in Dundee University Archives.</p> <p>The IJB has confirmed they are working with Angus Council to determine how digital archiving might best be secured for Angus IJB and Angus Council records going forward. The Assessment Team understand this work this work will take some time. The IJB also confirmed discussions will resume in 2021 after delays due to Covid-19.</p> <p>As work towards managing the archival preservation of digital records is still under consideration this element remains at Amber. The Keeper would also require a copy of the agreement between NHS Tayside and Dundee University in order to fully agree this element.</p>
8. Information Security	G	G	G	Update required on any change.	<p>The migration of records to the Office 365 platform will improve security of digital information and largely eliminate the risks inherent in our current paper-based record systems. Our intranet, including our SharePoint Online file storage, is provided by Angus Council who are responsible for system security and access management on our behalf. In addition, we will be making full use of data loss protection functionality to ensure information security.</p>	<p>For comments on O365 see element 4 above. The Assessment Team understand the extra levels of security and control that the new solution will provide and welcome this update.</p> <p>Update required on any future change.</p>
9. Data Protection	G	G	G	Update required on any change.	No Change	Update required on any future change
10. Business Continuity and Vital Records	A	G	A	<p>Update required on any change.</p> <p>The Records Management Plan of Angus Council has been agreed by the Keeper under ‘improvement model’ terms for element 10. This means that the Council has identified a gap in provision in this element and is working to close that gap. This is recognised in the IJB Plan (page 20).</p>	<p>The migration of records held by the IJB, or currently held on its behalf by NHS Tayside and Angus Council, to Office 365 will greatly improve our business continuity capability. Effectively this will mean bringing all non-client records relating to the IJB under the IJB’s direct control. Once digitised and uploaded, all records will be continuously available securely from any device and internet connection, reducing the</p>	<p>For comments on O365 see element 4 above.</p> <p>While this work is ongoing the element will remain at Amber. We would welcome updates on progress in future PURs.</p>

				Therefore, the Keeper agrees this element of the Angus Integration Joint Board's <i>Records Management Plan</i> under 'improvement model' terms.	risk of vital records being lost or business being disrupted due to loss of access to premises.	
11. Audit Trail	A	G	A	Update required on any change. The Records Management Plans of Angus Council and of NHS Tayside have been agreed by the Keeper under 'improvement model' terms for element 11. This means that both authorities have identified gaps in provision in this element and are working to close that gap. This is recognised in the IJB Plan (page 21): "Improvements continue to be made in this area for both Angus Council and NHS Tayside records. This is highlighted in the Angus Council Information Governance Improvement Plan and the NHS Tayside Improvement and Action Plan". Therefore, the Keeper also agrees this element of the Angus Integration Joint Board's <i>Records Management Plan</i> under 'improvement model' terms.	One of our reasons for the move to Office 365 is to improve our audit trail in respect of the production and management of records. Effectively this will mean bringing all non-client records relating to the IJB under the IJB's direct control, within a single fully auditable system. Office 365 auditing has been enabled for SharePoint content. We will monitor and review this as we deploy more functionality across a wider audience. Auditing of all further Office 365 content will be reviewed as products are deployed.	For comments on O365 see element 4 above. The IJB's intention to monitor and review the audit process as the transfer to O365 progresses is noted. While this work is ongoing the element will remain at amber. We would welcome updates on progress in future PURs.
12. Competency Framework	G	G	G	Update required on any change.	No Change	Update required on any change.
13. Assessment and Review	G	G	G	The <i>AHSCP Classification Scheme and Retention Schedules</i> document is scheduled for review during the period of this assessment. The <i>Records Management Policy</i> (see element 3) is scheduled for review by February 2020. The <i>Information Security Policy</i> (see element 8), <i>Information Governance Strategy</i> (see above) and <i>Data Protection Policy</i> (see element 9) are due for review by June 2020. The <i>Information Sharing Overarching Memorandum of Understanding between the IJB, NHS Tayside and Angus Council</i> (see element 14) is scheduled for review in July 2020.	No Change All policy reviews were undertaken in line with the review schedule.	The IJB committed to review the implementation of their RMP annually. This update confirms this is being done. Participation in the PUR process also demonstrates a commitment to continued assessment and review. Update required on any change.
14. Shared Information	G	G	G	Update required on any change.	A revised tri-partite framework for information sharing has been agreed by Angus IJB, NHS Tayside and Angus Council. This new agreement now covers all information sharing between the three bodies and provides a framework for information sharing with third parties. Existing ISAs under the old tripartite agreements will be reviewed and revised in	The Assessment Team note this update and thank the IJB for providing a copy of the revised tri-partite framework for information sharing.

					the first half of 2021 to bring them into line with the new framework.	
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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 30 November 2020. The progress update was submitted by Keith Whitefield, Programme Manager & Data Protection Officer.

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

The Assessment Team has reviewed Angus 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

Angus 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 Angus 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,



Liz Course
Public Records Officer