



# The Public Records (Scotland) Act 2011

## PRSA GOING FORWARD

When an authority's plan has been agreed by the Keeper, it is invited to participate in the annual Progress Update Review (PUR) process. This process is voluntary but provides an authority whose plan may have elements signed off as under improvement, with an opportunity to report on any new initiatives and progress made.

The PUR process supports continuous improvement by encouraging authorities to provide updates and supporting evidence, and demonstrate where any gaps in their records management provision may have been closed, or indicate where further work may be required. The assessment team provide constructive feedback and report impartially on all voluntary submissions received.

Further information, including guidance can be found at: <https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/progress-update-review-pur-mechanism>

As public authorities are either abolished or created, the Keeper updates the schedule to the Act and engages with any new authorities at the first opportunity.

The Public Records (Scotland) Act 2011 helps to improve the quality of record keeping in Scotland. It safeguards public records of enduring value and supports a long-term aim of changing the culture of record keeping.

Correspondence and enquiries relating to the Act can be sent to:

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# The Public Records (Scotland) Act 2011

**Trust is essential to democracy. When record keeping fails that trust is broken.**

**The main aim of the Public Records (Scotland) Act 2011 is to improve the quality of record keeping by named Scottish public authorities. It requires an authority to prepare, implement and keep under review a records management plan. The plan must clearly set out proper arrangements for the way an authority manages its public records, created in any format, when performing its functions.**

**The Act has been in force since January 2013.**

**For more information about the Act, visit the NRS website at: <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011>**



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## BACKGROUND TO THE ACT

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 record keeping and found that thousands of records were lost due to poor records management. Crucially, it demonstrated how many former residents of children's homes were denied access to information about their formative years.

The Shaw Report can be seen at:  
<http://www.gov.scot/Publications/2007/11/20104729/0>

Management of records is not just a bureaucratic process. It is central to good governance, openness, transparency, and therefore something that public authorities cannot ignore.

A subsequent review of public records legislation found that poor records management was not restricted to the childcare sector alone, but affected many different authorities. A new Public Records (Scotland) Act was therefore passed by the Scottish Parliament in March 2011.

## HOW THE ACT OPERATES

The Act requires a named Scottish public authority to prepare, implement and keep under review a records management plan. The plan must set out proper arrangements for the management of its public records. The plan must be submitted to the Keeper of the Records of Scotland (the Keeper) for his assessment and agreement, then implemented and reviewed regularly.

There are almost 250 authorities scheduled under the Act.

A plan submitted by an authority for the Keeper's agreement must provide details of the functions of that authority and the types of records it creates. The plan must also show what policies are in place for appropriate retention, disposal, archiving and security of its records.

To help authorities comply with their obligations, the Keeper published a model plan and guidance. It takes the form of an annotated list of 14 elements that would be expected to appear in a robust records management plan. Also published was supplementary guidance about proper arrangements for archiving public records.

These can be obtained at:  
<http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>