

Meeting of South Ayrshire Health and Social Care Partnership	Performance & Audit Committee
Held on	1st November 2022
Agenda Item:	10
Title:	NRS Public Records (Scotland) Act – Progress update review (PUR)
Summary:	
<p>This report is to provide Performance and Audit Committee with a final progress update report and highlight the positive commitment taken on the management of records (Appendix 1).</p> <p>It is recommended that the report is published on the website for public access/awareness.</p>	
Author:	Sheila Tyeson, Senior Manager – Policy, Performance & Commissioning
Recommendations:	
<p>It is recommended that the Performance and Audit Committee:</p> <ul style="list-style-type: none"> i. Note this report, which provides the Performance and Audit Committee with an update on the progress and positive commitment taken on the management of records (Appendix 1) for comment. ii. Note that it is recommended that the report is published on the website for public access/awareness. 	
Route to meeting:	
Implications:	
Financial	<input type="checkbox"/>
HR	<input type="checkbox"/>
Legal	<input type="checkbox"/>
Equalities	<input type="checkbox"/>
Sustainability	<input type="checkbox"/>
Policy	<input type="checkbox"/>
ICT	<input type="checkbox"/>

NRS PUBLIC RECORDS (SCOTLAND) ACT – PROGRESS UPDATE REVIEW (PUR)

1. PURPOSE OF REPORT

- 1.1 This report is to provide Performance and Audit Committee the progress update report and highlight the positive commitment taken on the management of records (Appendix 1).
- 1.2 It is recommended that the report is published on the website for public access/awareness.

2. RECOMMENDATION

- 2.1 **It is recommended that the Performance and Audit Committee**
 - i. **Note the report, (Appendix 1) which provides the Performance and Audit Committee with an update and positive commitment taken on the management of records for comment.**
 - ii. **Note that it is recommended that the report is published on the website for public access/awareness.**

3. BACKGROUND INFORMATION

- 3.1 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.
- 3.2 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 whilst records had been created, poor management and an inadequate legislative framework negatively impacted on the effectiveness of these.
- 3.3 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.
- 3.4 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.

4. REPORT

- 4.1 Record Management for the IJB is undertaken in line with the Corporate Policy for South Ayrshire Council and meets with legal requirements.
- 4.2 Appendix 1 (Report) details the progress report for South Ayrshire IJB. This sets out details the assessment findings, and clearly captures the assessment of these.
- 4.3 The report gives assurance on the governance arrangements being adhered to are achieving the expectations/requirements with ten of the fourteen areas being assessed as green. Of the remaining four areas assessed as amber progress reports will be provided in the future and no immediate action is needed.
- 4.4 Overall, the report findings are positive, and it is assurance provided that the method is effective and safe Record Management is in place in South Ayrshire.

5. STRATEGIC CONTEXT

- 5.1 Compliance with the legislation around record management

6. IMPLICATIONS

6.1 Financial Implications

- 6.1.1 None

6.2 Human Resource Implications

- 6.2.1 None

6.3 Legal Implications

- 6.3.1 Failure to comply with the legislation may result in further actions being identified or taken against South Ayrshire Council and/or IJB

6.4 Equalities implications

- 6.4.1 None

6.5 Sustainability implications

- 6.5.1 None

6.6 Clinical/professional assessment

- 6.6.1 None

7. RISK ASSESSMENT

- 7.1. There is no risk identified as the assessment is positive. Failure to maintain and sustain this could potentially result in reputational, legal, patient or service user risks, partner organisation risks.
- 7.2. In terms of the IJB Risk Management Strategy risk is considered low given the current policy and procedures in place.

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