

The Public Records (Scotland) Act 2011

South Ayrshire Integration Joint Board

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

16 June 2022

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

4. Authority Background

The South Ayrshire Health and Social Care Partnership is responsible for the planning, funding and delivery of a range of community health services and social work/social care services for people in the South Ayrshire Council area. The Partnership was created in 2015 under the provisions of the Public Bodies (Joint Working) (Scotland) Act, 2014.

The Partnership is governed by an Integration Joint Board comprising eight voting members appointed by South Ayrshire Council and the NHS Ayrshire and Arran Board. **The Integration Joint Board is the authority scheduled under the Public Records (Scotland) Act 2011.**

The Board is a separate legal entity in its own right from both South Ayrshire Council and the NHS Ayrshire and Arran Board. The Integration Joint Board's primary responsibilities are to produce a strategic plan, allocate the integrated revenue budget for health and social care and oversee service delivery for functions delegated to it by both South Ayrshire Council and the Health Board.

<https://www.south-ayrshire.gov.uk/health-social-care-partnership/integrationjointboard.aspx>

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: South Ayrshire Integration Joint Board

Element	Status of elements under agreed Plan 07AUG19	Status of evidence under agreed Plan 07AUG19	Progress assessment status 16JUN22	Keeper's Report Comments on Authority's Plan 07AUG19	Self-assessment Update as submitted by the Authority since 07AUG19	Progress Review Comment 16JUN22
1. Senior Officer	G	G	G	Update required on any change.	No update – the Senior Officer remains Tim Eltringham, the Integration Joint Board (the Board) Chief Officer.	Thank you for letting us know there have been no changes to the person named at Element 1. Update required on any change.
2. Records Manager	G	G	G	Update required on any change.	No update – the Records Manager remains Deborah McVey as lead, with support from Senior Manager Planning & Performance, based within the Board.	Thank you for letting us know there have been no changes to this Element. Update required on any change.
3. Policy	G	G	G	Update required on any change.	Minor amendments to policies as appropriate to keep up with internal changes as well as any legislative change.	The Assessment Team thanks you for this update which has been noted.
4. Business Classification	A	G	A	The Records Management Plan of South Ayrshire Council has been agreed by the Keeper under 'improvement model' terms for	A move to Microsoft 365 (M365) has begun implementation by the Council, which includes the Board. It is expected that this will assist the Board to	The Assessment Team thanks you for this update on the implementation of M365 as the EDRMs for South Ayrshire IJB alongside the Council. This is likely to take a significant amount of time

				<p>element 4. 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 South Ayrshire Integration Joint Board's <i>Records Management Plan</i> under the same 'improvement model' terms.</p>	<p>correctly store and manage electronic records. M365 will allow the continual use of the Business Classification Scheme implemented by the Board with regards electronic records storage.</p> <p>The Council now has a number of guides to aid managing electronic records approved for use. These guides include: Electronic Records Naming Guidance, Managing Emails Guidance, Organising Electronic Folders Guidance and Version Control Guidance. These are available to the Board through the intranet and the Board continue to utilise these guides to aid managing electronic records.</p>	<p>to bed-in properly. It is worth remembering that M365 is not, in itself, a solution to organisational Business Classification, which allows the authority to map its functions and identify its information assets in a structured fashion, ideally founded on function.</p> <p>Whilst M365 is likely to assist in the management of IJB's electronic records in the long run, careful consideration should be given to how its implementation might complicate other aspects of accountable recordkeeping.</p> <p>The guides referred to sound like a positive step in the overall management of electronic files.</p> <p>This Element remains at Amber as indicated. The Team look forward to hearing how this project progresses in consecutive PURs.</p>
5. Retention Schedule	A	G	A	<p>The Records Management Plan of South Ayrshire Council has been agreed by the Keeper under 'improvement model' terms for element 5. This means that the Council has identified</p>	<p>No update – the Board continue to follow the Council's records retention schedule.</p>	<p>Thank you for letting us know there have been no updates to this Element.</p> <p>In concert with the South Ayrshire Council's RMP, this Element will remain at Amber as indicated.</p>

				<p>a gap in provision in this element and is working towards closing that gap.</p> <p>Therefore, the Keeper agrees this element of the South Ayrshire Integration Joint Board's <i>Records Management Plan</i> under the same 'improvement model' terms.</p>		
6. Destruction Arrangements	A	G	A	<p>As with elements 4 and 5 above, the Records Management Plan of South Ayrshire Council has been agreed by the Keeper under 'improvement model' terms for element 6. 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 South Ayrshire Integration Joint Board's <i>Records Management Plan</i> under the same 'improvement model'</p>	<p>The Board haven't required to use the Council's Records Management Centre yet. However, within the last year, the Council has moved to holding all non-current paper records in-house to using an outside company to store records. A tender exercise was carried out, following this Restore Plc was awarded the contract to store non-current records held by the Council on behalf of the Board. Restore Plc will carry out any destructions after records meet their retention, once requested and authorised. Appropriate procedures have been introduced to support destruction arrangements in line with the PRSA.</p>	<p>The Assessment Team appreciates this update on third-party medium-term storage, arranged through tender by the Council. It is good to hear that implications of PRSA and accountable records destruction procedure was considered before entering into the contract.</p> <p>Thank you also for letting us know that there is no update to paper records destruction. The implementation of M365 is also noted with thanks.</p> <p>It is clear that progress is being made with regard to this Element, and due consideration is being given to it. However, in concert with the South Ayrshire Council's RMP, this Element will remain at</p>

				terms.	<p>There is no update with regards the destruction of paper records disposed of on a day-to-day basis from the Board's base within Ailsa Hospital.</p> <p>Consideration is being given to the governance of electronic records by the M365 Project Board, which includes mandatory metadata fields within files and documents to include record retention periods and two-stage authorisation process for record disposal. M365 is in early adoption within the Council and will continue to be adopted throughout 2022.</p>	Amber as indicated.
7. Archiving and Transfer	G	G	G	Update required on any change.	Ayrshire Archives has recently moved to a new purpose-built Archive Centre. The same procedures for transferring records to Ayrshire Archives remain in place.	<p>Thank you for this positive update on the purpose-built re-housing of Ayrshire Archives.</p> <p>The Team would expect to be updated on any changes to archiving and transfer procures.</p>
8. Information Security	G	G	G	Update required on any change.	No update.	Update required on any change.
9. Data Protection	G	G	G	Update required on any change.	No update – minor amendments to policies as appropriate.	The Assessment Team thanks you for this update which has been noted.

10. Business Continuity and Vital Records	G	G	G	Update required on any change.	All business continuity plans are refreshed on an annual basis and overseen by the Risk and Resilience Group within the Health and Social Care Partnership, this group was newly established in 2021.	Thank you for this update on regular business continuity plan review, noted with thanks.
11. Audit Trail	A	G	A	<p>The Records Management Plan of South Ayrshire Council has been agreed by the Keeper under 'improvement model' terms for element 11. 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 South Ayrshire Integration Joint Board's Records Management Plan under the same 'improvement model' terms.</p>	<p>The roll out of Microsoft 365 will help implement the corporate file plan, and it is expected it will introduce in turn an audit trail for electronic records. This element of M365 is being further explored by the M365 project group and we will report back to the Keeper on this element when it becomes known.</p> <p>Meantime, the newly-published Guides on Naming Electronic Records; Version Control; Managing Emails and Structuring File Folders is allowing the Board to re-design how we store electronic records, and apply meta-data to their names, improving searchability and structures of electronic documents and records held in shared drives.</p>	<p>Thank you for this update on electronic record audit trail arrangements. The implementation of M365 is a major endeavour, but should assist by providing automated audit trail metadata when any changes take place.</p> <p>Consistently applied naming conventions are key to record discoverability, and it is good to hear that guidance has been recently reviewed and published. Version control guidance, Email management guidance and File folder structuring guidance for staff are all indispensable for transparency brought about by consistency in practice.</p> <p>In concert with the South Ayrshire Council's RMP, this Element will remain at Amber as indicated. The Assessment Team are keen to hear how the implementation of the new EDRMs progresses in</p>

						consecutive PURs.
12. Competency Framework	G	G	G	Update required on any change.	No update.	Update required on any change.
13. Assessment and Review	G	G	G	Update required on any change.	No update.	Update required on any change. The Team would like to commend South Ayrshire IJB for participating in the PUR process, and therefore voluntarily scrutinising their approach to public records management.
14. Shared Information	G	G	G	Update required on any change.	No update.	Update required on any 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 24 March 2022. The progress update was submitted by Rachel Queen, Records and Data Officer.

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

The Assessment Team has reviewed South Ayrshire 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

South Ayrshire 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 South Ayrshire 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 style and is positioned above the printed name and title.

Iida Saarinen
Public Records Support Officer