

**Public Records (Scotland) Act 2011**

**South Ayrshire Integration Joint Board**

**The Keeper of the Records of Scotland**

**7<sup>th</sup> August 2019**

**Contents**

1. Public Records (Scotland) Act 2011 .....	3
2. Executive Summary .....	4
3. Authority Background.....	4
4. Assessment Process .....	5
5. Model Plan Elements: Checklist .....	6
6. Keeper's Summary .....	27
7. Keeper's Determination .....	27
8. Keeper's Endorsement.....	28

## 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 fully 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 record keeping 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. Executive Summary

This report sets out the findings of the Keeper's assessment of the RMP of South Ayrshire Integration Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 28<sup>th</sup> February 2019.

The assessment considered whether the RMP of South Ayrshire Integration Joint Board was developed with proper regard to the 14 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP of South Ayrshire Integration Joint Board complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. 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>

## 4. Keeper's Assessment Process

The RMP was assessed by the Public Records (Scotland) Act Assessment Team on behalf of the Keeper. Assessors used the checklist elements listed in section 5, to establish whether South Ayrshire Integration Joint Board's RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

### Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is 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 Keeper may choose to return the RMP on this basis.
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## 5. Model Plan Elements: Checklist

### South Ayrshire Integration Joint Board (Referred to as 'the IJB' in the assessment below)

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	G	G	<p>South Ayrshire Integration Joint Board (the IJB) have identified Tim Eltringham, Chief Officer, as the individual with overall responsibility for records management in the authority.</p> <p>Mr Eltringham has endorsed the <i>Records Management Plan (the Plan)</i> in a <i>Covering Letter</i>, addressed to the Keeper of the Records of Scotland and dated 10 January 2019, which was submitted at the same time as the <i>Plan</i>.</p> <p>The Keeper agrees that it is appropriate that the Chief Officer has overall responsibility.</p> <p>Mr Eltringham acknowledges that the public records of the IJB are held on South Ayrshire Council systems (see element 3).</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board have identified a suitable individual to this role as required by the Public Records (Scotland) Act 2011 (The Act).</p>

## Assessment Report

<p>2. Records Manager <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>The IJB have identified Deborah McVey, South Ayrshire Council Team Leader Information Governance, as the individual responsible for the day-to-day implementation of the <i>Plan</i>.</p> <p>This identification is supported in a <i>Covering Letter</i> from the Chief Officer, South Ayrshire Integration Joint Board (see element 1).</p> <p>The identification of Ms McVey to this role is further evidenced by the minute of the Board dated 27 June 2018: <a href="https://www.south-ayrshire.gov.uk/health-social-care-partnership/documents/item%203%20-%20ijb%20minutes%202018%2006%2027.pdf">https://www.south-ayrshire.gov.uk/health-social-care-partnership/documents/item%203%20-%20ijb%20minutes%202018%2006%2027.pdf</a> (see section 16).</p> <p>The IJB have provided the <i>Team Leader Information Governance's Job Description</i> as evidence that the implementation of the IJB <i>Plan</i> can reasonably be considered one of Ms McVey's duties.</p> <p>All public records of the IJB are held on South Ayrshire Council's records management systems. It is therefore reasonable that the Council records management team has responsibility for managing IJB records.</p> <p>The Keeper has already agreed the Council's Team Leader Information Governance is an appropriate individual to implement the Council's own <i>Records Management Plan</i> (September 2017): Keeper's Agreement Report: <a href="https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-south-ayrshire-council-and-licensing-board.pdf">https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-south-ayrshire-council-and-licensing-board.pdf</a></p> <p>Ms. McVey is author of the IJB <i>Plan</i> (in partnership).</p> <p>Ms. McVey also prepared the South Ayrshire Council <i>Records Management Policy</i></p>
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			<p><i>Framework, the Records Disposal Policy, the Records Management Guide to Staff and the Vital Records Policy. This suggests that Ms McVey has a detailed knowledge of the records management provision in the Council and is therefore ideally placed to undertake the day-to-day implementation of the IJB Plan.</i></p> <p>The Council's Records and Data Officer reports directly to the Team Leader Information Governance.</p> <p>Deborah McVey holds a Post Graduate Diploma in Information and Records Management, and the Council's Records &amp; Data Officer a Post Graduate Diploma in Records Management and Digital Preservation</p> <p>The IJB have provided the Keeper with a screen-shot showing that IJB staff can access the contact details for the Council's records management team.</p> <p>The Keeper can therefore agree that South Ayrshire Integration Joint Board have identified an appropriate individual to this role as required by the Act.</p>
<p>3. Policy Compulsory element</p>	<p>G</p>	<p>G</p>	<p>As explained in the <i>IJB Plan</i> (page 7), South Ayrshire Integration Joint Board have adopted the <i>Records Management Policy Framework</i> of South Ayrshire Council. This is available at:  <a href="https://www.south-ayrshire.gov.uk/foi/documents/pol%2020181106%20rm%20framework%20v1.1.pdf">https://www.south-ayrshire.gov.uk/foi/documents/pol%2020181106%20rm%20framework%20v1.1.pdf</a></p> <p>The <i>Plan</i> states that all public records of the IJB are "held on South Ayrshire Council's systems...and the Board's Plan therefore reflects in many ways the Council's Records Management Plan." (<i>Plan</i> Introduction, supported by statements elsewhere, for example page 5)</p>



This is confirmed in a *Minute of the meeting of the IJB* dated 12 December 2018: "All IJB records are held on South Ayrshire Council record keeping systems, ... they will be managed in accordance with South Ayrshire Council Information Governance Policies and Records Retention Schedule." (Full minute at: <https://www.south-ayrshire.gov.uk/health-social-care-partnership/documents/ijb%20minute%2012.12.18%20final.pdf>)

Minutes of meetings where strategic decisions are made are particularly strong evidence. The Keeper is confident that the arrangement for the management of the IJB's public records is clearly understood by the Board.

The arrangement described above is also supported in a *Covering Letter* from the Chief Officer, South Ayrshire Integration Joint Board (see element 1).

The Keeper has already agreed the Records Management Plan of South Ayrshire Council (September 2017):

*Published Records Management Plan:*

<https://www.south-ayrshire.gov.uk/foi/documents/pln%2020170828%20records%20management%20plan%20v1.1.pdf>

Keeper's Agreement Report: <https://www.nrscotland.gov.uk/files/record-keeping/public-records-act/keepers-assessment-report-south-ayrshire-council-and-licensing-board.pdf>

As explained above, the *Plan* confirms under element 3 that "The Board's records are held on Council systems." (*Plan* section 3.1). The Keeper agrees that it is therefore appropriate for the IJB to adopt the records management policies of the Council. Specifically, the Keeper agrees that the IJB can adopt the *South Ayrshire Council Policy Framework*. The Keeper has been provided with a copy of this framework. This is version 1.1 November 2018.

			<p>The IJB have provided the Keeper with a screen-shot showing that their staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the <i>Records Management Framework</i>.</p> <p>The Keeper agrees that the IJB <i>Plan</i> observes the general objectives of the Council's <i>Framework</i>.</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board have adopted a records management policy statement as required by the Act.</p>
<p>4. Business Classification</p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>"The Board recognises and acknowledges that it's records are held on South Ayrshire Council's systems (hereinafter referred to as "the Council") and the Board's Plan therefore reflects in many ways the Council's Records Management Plan (SAC Records Management Plan) which was approved by the Keeper on an Improvement Model basis on 1st September 2017" (<i>Plan</i> page 4)</p> <p>The Keeper acknowledges that he has been provided with the <i>South Ayrshire Integration Joint Board Business Classification Scheme</i> which shows the public records created by the IJB. These are arranged by function and activity.</p> <p>This must remain a business decision for the IJB/Council, but the Keeper acknowledges that a functional arrangement, as shown here, is currently considered best practice.</p> <p>The IJB have also supplied a screen-shot of the IJB records sitting in the South Ayrshire Council folder structure.</p> <p>It is therefore clear the IJB public records are indeed included in the Council's systems. The Keeper has previously agreed that this is appropriately modelled and</p>

			<p>moderated in response to there being no EDRMS in place.</p> <p>The Keeper notes that the Council is piloting new staff guidance in a <i>Guide to Organising Electronic Folders</i> document which will be widely available in due course and which will extend to Board staff. This is welcome and the Keeper looks forward to an update on the progress of the roll out and adoption of these procedures. The Keeper notes, from a draft version he has received, that the individual identified at element 2 of the IJB <i>Plan</i> is closely associated with this pilot project. This is strong evidence that, when operational, it will be applied to the public records of the IJB.</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the <i>Business Classification file Plan</i>.</p> <p>However, as noted by the IJB above, the Records Management Plan of South Ayrshire Council has been agreed by the Keeper under 'improvement model' terms for 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>
5. Retention schedule	A	G	<p>Although managed on South Ayrshire Council systems, retention decisions are agreed with the IJB. The Keeper acknowledges he has seen the IJB <i>Retention Sign Off</i> document in evidence of this. The Keeper commends the involvement of local staff in the design of records management provision. In particular, Board record creators understanding of IJB business requirements is liable to be important in the creation of a useful retention schedule for IJB records.</p>

			<p>The <i>Plan</i> notes that the Council’s <i>Records Management Policy Framework</i>, which the IJB have adopted (see element 3) has a basic principle that “Effective records management delivers...improved compliance with legislation or guidelines governing the retention of local authority records.” The Keeper accepts this includes IJB records.</p> <p>The IJB have provided the <i>Team Leader Information Governance Job Description</i>. The Keeper notes that Ms McVey (see element 2) has a formal responsibility: “To draw up legally admissible retention schedules, applicable to all records in all media from birth throughout their life cycle. In line with appropriate legal, operational, administrative and historical requirements.”</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the South Ayrshire Council <i>Retention Schedule</i>.</p> <p>However, the <b>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 a gap in provision in this element and is working towards closing that gap.</b></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>6. Destruction Arrangements <i>Compulsory element</i></p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>The South Ayrshire Council <i>Records Management Policy Framework</i> (which has been adopted by the IJB – see element 3) “Provides the overarching framework for any other Council records management policies, practices or guidelines, to ensure all Council records are accurate, reliable, securely managed and <b>disposed of appropriately</b> to meet all of its statutory, regulatory, administrative and</p>

			<p>accountability requirements.” – (<i>Framework</i> section 2)</p> <p>With this in mind the Council have produced a <i>Records Disposal Policy</i> which has been provided to the Keeper. This is version 2.1 dated November 2018.</p> <p>As the public records of the IJB are managed in the South Ayrshire Council records management systems they can be considered to be subject to the processes explained in the <i>Disposal Policy</i>.</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to destruction guidance such as the South Ayrshire Council <i>Disposal of Records Procedure</i>.</p> <p>The Keeper notes that the IJB has considered the working copies of records held by the other principle partner body, NHS Ayrshire and Arran. Although the formal corporate record of the IJB is not managed by the health board it is appropriate that consideration is given to the ability of NHS Ayrshire and Arran to adequately dispose of their copies when required.</p> <p>The Keeper has already agreed that the disposal procedures of NHS Ayrshire and Arran are compliant with the Act for paper records (October 2016): <a href="https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-nhs-ayrshire-arran.pdf">https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-nhs-ayrshire-arran.pdf</a></p> <p>The Keeper acknowledges that the IJB have provided evidence around the destruction of records by NHS Ayrshire and Arran.</p> <p><b>As with elements 4 and 5 above, the Records Management Plan of South Ayrshire Council has been agreed by the Keeper under ‘improvement model’</b></p>
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			<p>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' terms.</p>
<p>7. Archiving and Transfer Compulsory element</p>	<p>G</p>	<p>G</p>	<p>The public records of South Ayrshire Integration Joint Board are managed on the records management systems of South Ayrshire Council.</p> <p>"The Board follows Council's policies and procedures for transferring and archiving records. The procedures and policies for archiving and transfer to the Records Management Centre are available to recordkeeping staff of the Board, on the Council's intranet, which Board staff have access to." (<i>Plan</i> page 16).</p> <p>The <i>Plan</i> notes that the Council's <i>Records Management Policy Framework</i>, which the IJB have adopted (see element 3) has a basic principle that "Effective records management delivers...identification, at the earliest possible moment, of records with historical value for permanent retention as archives..."</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the South Ayrshire Council <i>Records Transfer &amp; Archives Policy</i>.</p> <p>The Keeper acknowledges receipt of a copy of a Memorandum of Understanding between the IJB and the archive service as evidence that the public records of the IJB are subject to the archiving provision of the Council.</p> <p>The Keeper notes that records considered to have enduring value will be subject to</p>

			<p>joint appraisal by the IJB and the archivist at Ayrshire Archives. This is to be commended.</p> <p>The Keeper has already agreed that the archiving provision of South Ayrshire Council is appropriate (September 2017). However, he notes the plan to move the archive facility to a new site in the future. He will follow this move with interest.</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board have appropriate processes in place to ensure the transfer of records selected for permanent preservation to a suitable repository.</p>
<p>8. Information Security <i>Compulsory element</i></p>	<p>G</p>	<p>G</p>	<p>"Due to the nature of the Board's statutory and business requirements, records that hold Board information should not be amended or deleted without appropriate authority, and be held on secure systems." (<i>Plan</i> page 18). To this end the IJB have adopted the Council's Information Security Policies and Procedures.</p> <p>The <i>Plan</i> notes that the Council's <i>Records Management Policy Framework</i>, which the IJB have adopted (<b>see element 3</b>) has a basic principle that "Effective records management delivers...improved information security as records are accessed on the 'need to know' principle.</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the South Ayrshire Council's information security policies and guidance (for example the <i>Acceptable Use Policy</i> and latest security warnings).</p> <p>The Keeper has already agreed that the information security provision of South Ayrshire Council is appropriate (September 2017).</p> <p>The IJB have provided the <i>Team Leader Information Governance Job Description</i>.</p>

			<p>The Keeper notes that Ms McVey (<b>see element 2</b>) has a formal responsibility: “To assist in the maintenance of Information Security Systems within the Council and to Ensure compliance with information security requirements.”</p> <p>Information security training for IJB staff is provided through the Council’s training module. However, it should be noted that NHS staff, using IJB records in partnership, will be subject to the information security restrictions of their employer. The Keeper has already agreed that the information security provision of NHS Ayrshire and Arran is compliant with the Act (October 2016).</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board have processes in place to ensure the security of their public records.</p>
<p>9. Data Protection</p>	<p>G</p>	<p>G</p>	<p>As explained in the <i>IJB Plan</i> (page 20), South Ayrshire Integration Joint Board have adopted the <i>Data Protection Policy</i> of South Ayrshire Council. This is available at: <a href="https://www.south-ayrshire.gov.uk/foi/documents/data%20protection%20policy.pdf">https://www.south-ayrshire.gov.uk/foi/documents/data%20protection%20policy.pdf</a></p> <p>The Keeper has already agreed that the data protection provision of South Ayrshire Council is appropriate (September 2017). Although the requirements changed after the introduction of GDPR/DP2018 in May 2018, the Keeper has no reason to suspect that the Council has not adapted its provision to map these changes.</p> <p>The IJB have provided the <i>Team Leader Information Governance Job Description</i>. The Keeper notes that Ms McVey (<b>see element 2</b>) has a formal responsibility: “To ensure that the Council meets its statutory responsibilities in terms of the Data Protection Act, including developing, reviewing and implementing policies and procedures, ensuring requests for information are dealt with appropriately, and providing advice, guidance, training, preparing reports and statistical information.”</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access</p>



			<p>the South Ayrshire Council records management guidance pages on the intranet which includes a link to the South Ayrshire Council's Data Protection mini-site.</p> <p>Data protection training for IJB staff is provided through the Council's training module. However, it should be noted that NHS staff using IJB records in partnership will be subject to the data protection policy of their employer. The Keeper has already agreed that the data protection provision of NHS Ayrshire and Arran is compliant with the Act (October 2016).</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board has properly considered its responsibilities under the Data Protection Act 2018.</p>
<p>10. Business Continuity and Vital Records</p>	<p>G</p>	<p>G</p>	<p>"The Board utilises the Corporate Business Continuity Plan of the Council as the Board's records are held on Council systems. The Council's Business Continuity Plan aims to reduce the impact of a disruption to the Council, and in turn the Board, by restoring critical functions as soon as possible, keeping disruption to a minimum." In light of the IJB's public records being held in the Council's systems (see element 3), the Keeper agrees this is appropriate.</p> <p>The Keeper has already agreed that the business continuity arrangements of South Ayrshire Council properly consider the recovery of records (September 2017).</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the South Ayrshire Council's Business Continuity mini-site.</p> <p>The IJB have identified a particular record type as 'vital'. The Keeper commends the direct involvement of the IJB in identifying vital records and indicating these to the Council.</p>

Assessment Report

			<p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the South Ayrshire Council <i>Vital Records Policy</i>.</p> <p>The Keeper agrees that there are appropriate procedures in place to resume business in the event of a disaster and that consideration has been given to vital records.</p>
11. Audit trail	<b>A</b>	<b>G</b>	<p><b>(see element 4)</b></p> <p>The <i>Plan</i> quotes the <i>Framework</i> (see element 3) which explains that “Effective records management delivers the following significant benefits: it allows the Council to know what records it has, and how to locate them easily;”</p> <p>With this in mind the Council have processes in place to locate and recognise their public records.</p> <p>South Ayrshire Integration Joint Board’s public records are managed on the systems of South Ayrshire Council and are therefore subject to the tracking procedures operating in those systems. This applies to records in both digital and paper format.</p> <p>Electronic records: It seems that the IJB and the Council records management team have good dialogue (see element 4). IJB staff are made aware of the requirements of the Council’s tracking (audit trail) provision. Further guidance is forthcoming (see <i>Guide to Organising Electronic Folders</i> see under element 4 above).</p> <p>“The Board recognises these Council policy and procedural provisions are especially critical to monitoring electronic records of the Board stored on Council shared drives, where it is more challenging to ensure commonality and accuracy in the audit trail of records.” (Plan page 24). The Keeper strongly agrees this</p>

			<p>statement.</p> <p>Paper records: The <i>Plan</i> (page 16) explains the process of transferring hard-copy records between the IJB and the Council's Records Management Centre and long-term record store using transfer forms. These can be used to trace records removed from storage for current business use.</p> <p><b>However, the <i>Records Management Plan</i> 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.</b></p> <p><b>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.</b></p>
<p>12. Competency Framework for records management staff</p>	<p>G</p>	<p>G</p>	<p>The Keeper has already agreed that South Ayrshire Council's Records Manager (<b>see element 2</b>) has the appropriate skills and access to training to allow her to take day-to-day responsibility for the implementation of the Council's <i>Records Management Plan</i>. By extension, he can also agree that Ms. McVey has the required attributes to implement the IJB <i>Plan</i>.</p> <p>The IJB have provided the <i>Team Leader Information Governance Job Description</i>. The Keeper notes that Ms McVey has formal responsibility: "To assist in the development and maintain the Council's Information and Governance strategy including ... Data Protection, ... Records Management and Information Security." And to "To assist in the delivery of the Public Records (Scotland) Act."</p> <p>IJB records management staff are Council employees.</p>

		<p>The IJB makes the following statement in the <i>Plan</i> (page 26) “The Board recognises that records management is a separate function from general administrative tasks, and therefore the competencies and requirements of Council Records Management staff that support the Board are linked to records management-specific training and development.” The Keeper welcomes this statement and the training and development offered.</p> <p>The IJB have provided the Keeper with details of the Professional qualifications and memberships of the Council’s Team Leader Information Governance and Records and Data Officer. The Keeper thanks these officers for sharing this with him.</p> <p>The IJB has shared the Council’s performance and development template and guidance documents. They have also supplied the completed 2019 review for Ms McVey (<b>see element 2</b>). The Keeper agrees this further supports the identification of Ms McVey as the appropriate individual to take forward the implementation of the <i>IJB Plan</i>. He thanks Ms McVey for sharing this document.</p> <p>Mandatory information security and data protection training for IJB staff is provided through the Council’s training module.</p> <p>The IJB have provided the Keeper with a screen-shot showing that staff can access the South Ayrshire Council records management guidance pages on the intranet which includes a link to the LearnPro information security and data protection e-learning modules.</p> <p>They have also supplied a screen-shot showing that staff can access the Council’s Information Governance Intranet pages: FOI, Information Sharing, Data Protection and Records Management (which includes the Council’s <i>Records Management Guide to Staff</i>).</p>
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			<p>The Keeper agrees that the individual identified at element 2 has the proper training, responsibilities and support to fulfil the role. Furthermore he acknowledges that South Ayrshire Integration Joint Board properly consider information governance training for all staff as appropriate.</p>
<p>13. Assessment and Review</p>	<p>G</p>	<p>G</p>	<p>The Act requires a scheduled public authority to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>The Introduction to the <i>Plan</i> (page 4) recognises and commits the IJB to ‘regularly and formally’ review their Plan.</p> <p>Page 28 of the <i>Plan</i> states: “The Board recognises that a robust self-assessment mechanism is instrumental to the success of the implementation of the RMP”. This is a clear and robust statement which is to be commended.</p> <p>The Keeper has received the IJB’s <i>Records Management Plan Assessment and Review Plan</i>. This supports commitments in the <i>Plan</i> (page 28) that the Council’s Records and Data Officer, supported by the Information Governance Team Leader (see element 2) will carry out an annual review which will be signed off by the IJBs Chief Officer (see element 1) before being reported formally to the IJB performance panel.</p> <p>As the public records of the IJB are held on the South Ayrshire Council systems, the Council records management staff will meet with staff within the IJB. Furthermore, local IJB business areas will be provided with a records management ‘workbook’ for completion as part of this review. This means that the <i>Plan</i> will be reviewed in conjunction with staff of the IJB. The Keeper commends the involvement of local business areas in the review of the effectiveness of the <i>Plan</i>. The Keeper has been provided with a blank template ‘workbook’ in evidence.</p>

			<p>The <i>Plan</i> (page 28) also notes the potential for South Ayrshire Council to utilise the ARMS self-assessment tool <a href="https://www.scottisharchives.org.uk/resources/arms/">https://www.scottisharchives.org.uk/resources/arms/</a>. This is the Archives and Records Management Service quality improvement mechanism which has previously be endorsed by the Keeper. Furthermore the Council Internal Audit Service might provide a further review mechanism for records management practices in the Council. The Keeper commends the use of an <i>internal audit facility</i> (when practicable) when reviewing information governance practice in an authority. The extension of this audit to records management provision is to be welcomed.</p> <p>The above lays out the precise nature of the proposed solution and provides the Keeper with the assurance he needs about the process to be followed and the reporting mechanism to help facilitate ongoing improvement.</p> <p>The <i>Plan</i> states that “[the] combination of short, medium and long term assessment allows checks to be made as to the expected operation of the Plan, to support compliance and good practice.” The Keeper agrees this.</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board have made a firm commitment to review their RMP as required by the Act and have explained who will carry out this review and by what methodology.</p>
14. Shared Information	G	G	<p>As part of its function an IJB must utilise the records of other partners and, therefore, information sharing is a key part of its business. In the case of South Ayrshire Integration Joint Board the record of the Board itself are managed by a third party (the Council). For these reasons the Keeper must be satisfied that robust data sharing agreements are in place.</p> <p>The Keeper has already agreed that the information sharing provision in the Council is appropriate (September 2017).</p>

			<p>Statements in the Plan and evidence supplied make it clear that the Council has robust policies and procedures for info sharing, including Information Sharing Protocols (ISP). A sample ISP has been provided in evidence.</p> <p>The Keeper has been provided with the information sharing framework utilised by the IJB. This includes a <i>Data Sharing Checklist</i> for staff; an <i>Information Sharing Flowchart</i>; a guidance note and an <i>Information Classification Guidance</i> document. These are robust evidence that appropriate guidance is available for the staff of the IJB when they are pursuing an information sharing exercise.</p> <p>The Keeper agrees that South Ayrshire Integration Joint Board appropriately considers information governance when planning data sharing with third parties.</p>
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## South Ayrshire Integration Joint Board (Referred to as ‘the IJB’ in the assessment below)

### General Notes on RMP, Including Concerns:

Version: This assessment is on the *Records Management Plan* of South Ayrshire Integration Joint Board version 1.0 issued 25<sup>th</sup> February 2019 (the *Plan*).

The *Plan* is accompanied by a *Covering Letter* of support from T J Eltringham, Chief Officer, South Ayrshire Integration Joint Board (see element 1) dated 10 January 2019. The *Covering Letter* mentions the Public Records (Scotland) Act 2011 (the Act). The Keeper agrees with Mr Eltringham that “Records management supports the Board’s strategic objective to manage resources effectively, making best use of its integrated capacity.”

The *Plan* states that all public records of the IJB are “held on South Ayrshire Council’s systems...and the Board’s Plan therefore reflects in many ways the Council’s Records Management Plan.” (*Plan* Introduction, supported by statements elsewhere, for example page 5)

This is confirmed in a *Minute of the meeting of the IJB* dated 12 December 2018: “All IJB records are held on South Ayrshire Council record keeping systems, ... they will be managed in accordance with South Ayrshire Council Information Governance Policies and Records Retention Schedule.” (Full minute at: <https://www.south-ayrshire.gov.uk/health-social-care-partnership/documents/ijb%20minute%2012.12.18%20final.pdf>)

The Keeper has already agreed the Records Management Plan of South Ayrshire Council (September 2017):

*Published Records Management Plan:*

<https://www.south-ayrshire.gov.uk/foi/documents/pln%2020170828%20records%20management%20plan%20v1.1.pdf>



Keeper's Agreement Report: <https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-south-ayrshire-council-and-licensing-board.pdf>

The *Plan* mentions the Act and is based on the Keeper's, 14 element Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>.

### **Third Parties**

The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered 'public records' - PRSA Part 1 3 (1)(b).

This places a requirement on scheduled authorities, like South Ayrshire Integration Joint Board, to ensure that they can be confident that records created or held by third parties who have contracted to undertake the Board's functions are properly managed.

In a separate 'Contracts' section of the *Plan*, South Ayrshire Integration Joint Board make the following statement:

*At the time of submission of this Plan the Board has not entered into any contracts as a separate legal entity. Records pertaining to such contracts for the Board would be held on South Ayrshire Council systems.*

*The Board acknowledges that should it enter into a contract in the future as a public authority it must, when contracting out a function, be satisfied that a contractor can meet our statutory obligations under the Public Records (Scotland) Act 2011. On this basis, a contractor being appointed by the Board will be obliged under standard contract Terms and Conditions (T&Cs) to satisfy the requirements of the Board, to allow us to meet our statutory obligations under the 2011 Act.*

*The Board intends to use the style wording developed by SOLAR for inclusion in contract conditions if they are required in the future. This is available on the Scottish Council on Archives website Scottish Council on Archives Contract Clauses (Plan page 32)*

The Keeper agrees that South Ayrshire Integration Joint Board have properly considered this aspect of the Act.



## 6. Keeper's Summary

Elements 1 - 14 that the Keeper considers should be in a public authority records management plan have been properly considered by South Ayrshire Integration Joint Board. Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **South Ayrshire Integration Joint Board**.

- The Keeper recommends that South Ayrshire Integration Joint Board should publish its agreed RMP as an example of good practice within the authority and the sector.

This report follows the Keeper's assessment carried out by,



.....  
**Pete Wadley**  
Public Records Officer

.....  
**Robert Fotheringham**  
Public Records Officer

## 8. Endorsement of Report by the Keeper of the Records of Scotland

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by South Ayrshire Integration Joint Board. In agreeing this RMP, the Keeper expects South Ayrshire Integration Joint Board to fully implement the agreed RMP and meet its obligations under the Act.



.....  
**Paul Lowe**  
Keeper of the Records of Scotland