Public Records (Scotland) Act 2011

Redress Scotland

The Keeper of the Records of Scotland

5th July 2023

Contents

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 Redress Scotland by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 30th November 2022.

The assessment considered whether the RMP of Redress Scotland was developed with proper regard to the 15 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 Redress Scotland complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

Redress Scotland is the independent body which makes decisions about applications to Scotland's Redress Scheme. Its values are respect, dignity and compassion, and its approach is based on honesty and clarity.

Redress Scotland was set up following an act passed by the Scottish Parliament in 2021, called Redress for Survivors (Historical Abuse in Care) (Scotland). Although Redress Scotland works with guidance and funding from the Scottish Government, it is not part of any Government department. The team at Redress Scotland is made up of panel members, who make decisions about applications; board members, who oversee the running of the organisation; and employees. Redress Scotland is led by a Chair and a Chief Executive.

If you apply for redress in Scotland, your application is made to the Scottish Government, who will make a payment if the application is successful. It is the job of Redress Scotland to tell the Government which people should get redress, and how much any payment should be.

[Redress Scotland – Survivors are at the heart of the Redress Scotland process](#)

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 Redress Scotland'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.

5. Model Plan Elements: Checklist

Redress Scotland

Note on submission: The timing of the submission of Redress Scotland's Records Management Plan coincided with recruitment of staff and the ongoing finalising of processes and documentation. The Keeper recommends the version of the Plan be updated to reflect these changes and improvements at the next planned review, and if the authority intend to publish it.

Element	Present	Evidence	Notes
1. Senior Officer	**G**	**G**	The Public Records (Scotland) Act 2011 (the Act) requires that an individual senior staff member is identified as holding corporate responsibility for records management in a public authority. Redress Scotland have identified Joanna McCreadie, Chief Executive, as holding corporate responsibility for records management. Ms McCreadie is Accountable Officer for Redress Scotland and the corporate owner of the Records Management Plan (*RMP*). An email from the Chief Executive (dated 19 May 2023) has been provided since submission confirming this identification, the post-holder's responsibilities and those of staff with records management responsibilities. It states "I am confident we are making good progress in relation to records management and that this will continue over the next period as we continue to work on delivering our plan." It also outlines

			board and committee responsibility around records management, "The Oversight Board has overall responsibility for Redress Scotland's records management policy and for the continued development, implementation and review of supporting standards, procedures and guidelines. The Audit and Risk Committee advise on governance and support compliance with the records management policy." The *Records Management Policy* (page 7) further supports this identification of the Chief Executive. The Keeper agrees that Redress Scotland have identified an appropriate individual to this role as required by the Act.
2. Records Manager	G	A	The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and that this staff member has appropriate corporate responsibility, access to resources and skills. The *RMP* states that the role of Policy and Improvement Lead, which at the time of submission was being recruited, will assume operational responsibility for records management and be the corporate records manager for Redress Scotland. Since submission, and following successful recruitment, an update on records management responsibilities in Redress Scotland has been provided separately (email from the Chief Executive dated 19 May 2023). This confirms that Alan Henderson has been appointed to the post of Policy and Improvement Lead. It is also confirmed in the *Records Management Policy* (page 8). It has been confirmed separately that the Policy and Improvement Lead, supported by the Head of Policy and Improvement, will be involved in the review of records management in the authority (see element 13). At the time of submission, the role of Policy and Improvement Lead role was being

covered by Governance Secretary, Diane Piper and Executive Secretary, Celine Lauter. The *RMP* notes that any actions outlined in the 'Action Plan' section will be taken forward by Governance Secretary and Executive Secretary with the support of the Senior Information Risk Owner (SIRO). It has been confirmed separately that these roles will continue to provide records management support within the authority.

The Policy and Improvement Lead will report to the Head of Policy and Improvement. At the time of submission Redress Scotland identified Melanie Lowe, Policy and Engagement Lead, as currently holding operational responsibility for records management. Ms Lowe now holds the post of Head of Policy and Improvement and is also the SIRO and Data Protection Officer. The Head of Policy and Improvement reports to the Chief Executive and is "Responsible for ensuring that records management practices and procedures are established in line with all legal obligations and standards, issuing advice and guidance to all staff through Redress Scotland, establishing and liaising with Information Asset Owners in line with our records management policy." (confirmed in email from Chief Executive dated 19 May 2023).

The responsibilities of the Head of Policy and Improvement are outlined in the *Records Management Policy* (page 7), "the development and implementation of the records management plan, including this policy and supporting standards, procedures and guidelines; the identification of corporate resource requirements; and decisions on the storage of Redress Scotland records." And "The SIRO is responsible for ensuring that records management practices and procedures are established in line with all legal obligations and standards, issuing advice and guidance to all staff through Redress Scotland, establishing and liaising with Information Asset Owners (IAO) in line with this policy." A copy of *SIRO guidance* has also been provided.

The Policy and Improvement Lead is identified as an IAO along with heads of departments (*Information Asset Owner Handbook* pages 7-8).

It has been confirmed separately that the *Records Management Competency Framework* now reflects the updated roles and responsibilities and was approved by the Audit and Risk and Assurance Committee (ARAC) in January 2023. The Keeper requests an up-to-date version of this document. The annual, voluntary Progress Update Review (PUR) mechanism can be used to provide this.

The Policy and Engagement Lead (now Head of Policy and Improvement), Governance Secretary, and Executive Secretary undertook an Introduction to Records Management in November 2022. The Policy and Engagement Lead (now Head of Policy and Improvement) was undertaking a Practitioner Certificate in Scottish Public Sector Records Management in January 2023. Emails have been provided, *Evidence of training for Policy and Improvement Lead Governance Secretary and Executive Secretary e-mail* and *Evidence of Practitioner training for Policy and Engagement Lead* confirming bookings for these training courses. It has been confirmed separately that this training has now been completed. The Keeper commends this commitment to staff training and development.

The Keeper requires evidence to demonstrate the Policy and Improvement Lead, Alan Henderson, has the same access to resources and skills. For example, a commitment to undertaking the same or similar records management training as outlined above. The Keeper acknowledges that the post-holder will not yet have had the opportunity to undertake such training. The Keeper also acknowledges the clear commitment to supporting staff in accessing training.

			The Keeper can agree this element under 'improvement model' terms. While the Policy and Improvement Lead has now been appointed and identified as having day-to-day responsibility for records management, further evidence is required to support this. For example, a commitment to undertaking the same or similar records management training outlined above. An updated version of the *Records Management Competency Framework* is also required.
3. Policy	**G**	**G**	The Act requires an authority to have an appropriate policy statement on records management. Redress Scotland is "committed to establishing and maintaining good record keeping practices which meet business needs, comply with legal, statutory and regulatory obligations and demonstrate transparency and accountability to all its stakeholders." (*RMP* page 7) Redress Scotland have a *Records Management Policy.* A copy of which has been provided. It has been confirmed separately that it has been signed off by the Audit Risk and Assurance Committee and Oversight Board. The *Records Management Policy* will be reviewed annually (*Policy* page 10). The *Policy* (page 2) states it "acts as a mandate for the continued development, implementation and review of records management standards, procedures and guidelines through Redress Scotland's records management plan which will ensure that Redress Scotland: • creates and captures accurate, authentic, complete and reliable records; • maintains records that comprehensively meet our business needs; • ensures that records are accessible when needed; • keeps records securely and disposes of those that are no longer required in

an appropriate manner;
- complies with legal and statutory requirements and government directives
- is able to support research and development and
- we are able to promote our achievements."

It applies to records in all formats and to all Redress Scotland staff. The *Policy* outlines roles and responsibilities, the corporate records keeping system, and retention and disposal practices.

The Keeper agrees that the *RMP* supports the objectives of the *Records Management Policy*.

The Head of Policy and Improvement is identified in the *Records Management Policy* (page 10) as the senior manager with overall responsibility for the policy and, as SIRO, for monitoring compliance with it. This will be done in collaboration with IAOs. The Policy and Improvement Lead (identified as Corporate Records Manager at element 2) is one of the IAOs**.**

Redress Scotland's Oversight Board is identified (*Policy,* page 7) as having overall responsibility for the *Records Management Policy* and for "the continued development, implementation and review of supporting standards, procedures and guidelines" and the Audit Risk and Assurance Committee will advise on governance and support compliance with the policy.

A commitment was made in the *RMP* to making the *Policy* accessible to all staff and for it to be included in future training. It has been confirmed separately that **"**Specific mandatory training for all staff on records management has been developed and launched. The training has been developed using the records management policy that has been agreed for Redress Scotland. All staff have until the end of May 2023

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<td>to undertake the training for 2023/24." Staff access this through the Scottish Government (SG) Pathways learning site, which the Keeper is familiar with. A screenshot of the Redress Scotland records management training site has been provided, which includes a section on the Records Management Policy. An email has also been provided informing all staff of the mandatory training and the date for completion.

The Keeper agrees that Redress Scotland have a formal records management policy statement as required by the Act.</td>
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<td>4. Business Classification</td>
<td style="background-color:orange">A</td>
<td style="background-color:green">G</td>
<td>The Keeper of the Records of Scotland (the Keeper) expects that the public records of an authority are known and are identified within a structure.

The RMP (page 10) states "Our Business Classification Scheme is the keystone of the records management function within Redress Scotland. The Business Classification Scheme aims to provide the framework for managing the records and information."

The Records Management Policy (page 8) notes "It is critical that records of decisions and actions are complete and accurate. Redress Scotland must be able to provide a full history of its decisions and actions and these must be accessible to those within (and, potentially, outside) the organisation who may reasonably require them. Full records might be needed for a number of reasons, such as demonstrating the chain of events and decisions that led to a particular course of action or to respond to requests for information. This means that details relevant to decisions or actions, including e-mails and notes that are needed to complete the 'story', are retained for an appropriate period and can be retrieved if required."

Redress Scotland create, manage and store their public records digitally. Redress Scotland use the Scottish Government (SG) electronic record and document</td>
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management system (eRDMs), Objective, on which the authority's public records are stored in a separate file structure. The Keeper is familiar with this system and its records management functionality.

Records are allocated a file type and structured in a file plan. Copies of *File type guidance*, *Casework File type guidance* and *Naming convention guidance* have been provided. The file type determines the retention period and disposal action. Two *eRDM fileplan screenshots* have also been provided showing extracts of the file plan structure. The business classification scheme (file plan) will be reviewed annually.

The *RMP* states that current file plan was developed in the early stages of Redress Scotland. **Now the authority is fully operational a review of the business classification scheme (file plan) is planned to ensure it meets business needs and best reflects the functions of the authority. The authority intend to consult local business areas as part of this review. It has been confirmed separately that this work is now underway in one business area with others to follow later in 2023. The Keeper commends the planned action to revisit the file plan now the authority is more established and the commitment to undertake this work. Updates can be provided on progress through the PUR process.**

An email chain, between Redress Scotland and the SG RM & eRDM Operation Team, and a screenshot of the file plan in eRDMS have been provided separately to evidence the file plan review work currently underway.

Redress Scotland use Enterprise Vault to manage email. This is part of the SG SCOTS network and controls. *Naming convention guidance* provides information on saving emails and attachments to the eRDMs.

All Redress Scotland staff must undertake mandatory training before being given

access to the eRDMs.

A copy of the *Information Asset Owner Handbook* has been provided.

Supporting evidence, including *Subject Access Request Training Slides*, *draft data sharing arrangement and protocol*, and *draft Business Continuity Planning* document, has been provided to the Keeper. These refer to other systems in use such as Microsoft Teams and a case management system (CMS).

It has been confirmed separately that Redress Scotland access a CMS, which is a SG system that certain Redress Scotland staff can access for the purposes of sharing information by downloading and uploading documents. Any documents downloaded from the CMS are then saved on the eRDMs. Use of the CMS is governed by a *Data Sharing Agreement* (se element 14). It has been confirmed separately that the authority are "currently exploring whether a bespoke CMS system would be more suitable for Redress Scotland but this is at a very early stage."

The *Records Management Policy* (page 2) outlines how documents become records. It states "These should be placed into an official filing system and at this point, they become records."

The Keeper can agree this element under 'improvement model' terms as the authority have highlighted that the current file plan was developed in the early stages of Redress Scotland. Now the authority is fully operational a review of the business classification scheme (file plan) is underway to ensure it meets business needs and best reflects the functions of the authority. The Keeper expects to be updated on the progress of this work.

| 5. Retention schedule | G | G | The Keeper expects an authority to have allocated retention periods to its public records and for those records to be retained and disposed of in accordance with a Retention Schedule.

The *Records Management Policy* (page 8) states, "Information and records shall be retained only as long as they are required to support the Redress Scotland in its business requirements and legal obligations. At the end of that time, the records will either be appropriately destroyed or transferred to NRS for permanent preservation." The *Policy* further notes "Redress Scotland recognises that retention schedules are the key to effective records management: they set out the recommended periods for which particular classes of records should be retained in accordance with legal, audit and operational requirements."

Redress Scotland use the SG eRDMs to manage their public records, which are all digital. When records are created a file type is allocated which determines its retention and disposal.

Two file type guidance documents have been provided, *Casework File Type Guidance* and *File Type Guidance*. They contain information including filename, location, scope, restrictions, format (physical or virtual), disposal action (e.g. First Action: Close after 5 years, Second Action: Archive 15 years after closure), and filename examples.

The *RMP* (page 11) states "Redress Scotland has a detailed retention and disposal policy. This is based on the key record types held by the organisation and their required retention periods which are in line with statutory and legislative obligations and business needs." This statement indicates Redress Scotland has input into retention periods. A copy of the *Retention and Disposal Policy* has been provided.

As Redress Scotland use the SG SCOTS network the Keeper can accept that a set |

			retention period is in place for MS Teams Chat. The Keeper can also accept that SG guidance is in place and accessible to staff for other M365 applications, including instruction on saving records to the eRDMs. A commitment is made (*RMP* page 11) to ongoing review of retention and disposal schedules to ensure they continue to meet business needs. The Keeper commends this commitment and the authority's acknowledgment that that a retention schedule is likely to alter regularly as new record types are created. The Keeper agrees that Redress Scotland has a schedule providing retention decisions for the record types created while pursuing their functions.
6. Destruction Arrangements	**G**	**G**	The Act requires that public records are destroyed in a timely, controlled and secure manner. Redress Scotland create, manage and store their public records digitally on the SG eRDMs which is part of the SCOTS IT network. When records are created a file type is allocated which determines its retention and disposal. The destruction of Redress Scotland's public records is managed through SG processes, which identify, review and destroy digital records periodically. The *RMP* explains that when an electronic file is destroyed a record of its destruction is created containing the name of the file and all documents that were held within it. This record of destruction is retained and remains on the eRDMs. The Keeper is familiar with the destruction process for Objective and while evidence, such as a screenshot of a destroyed file on eRDMs, would be expected to be provided, it is accepted that no records are likely to have reached their retention period yet.

			As noted above, Redress Scotland use Microsoft Exchange and Enterprise Vault for email management. Enterprise Vault manages the automatic destruction of email. The Keeper is aware that Enterprise Vault is being replaced in the summer of 2023 and is satisfied that the replacement system will provide similar auto-destruction capabilities albeit with a more generous run-up period. The secure and irretrievable destruction of hardware and back-up copies of digital records is managed through SG processes which are outlined in the *Scots Back Up/Recovery of Electronic Data/Destruction of Hardware* provided to the Keeper. Hardware is destroyed by a third-party contractor. A list of assets sent for destruction is maintained by the SG and a certificate of destruction is provided to Redress Scotland. It is likely that no hardware will have been sent for destruction yet and no sample destruction certificate can be provided. The Keeper can accept a process is in place for hardware disposal. Digital back-ups are routinely destroyed through SG processes. Daily and weekend backups are taken, kept for four weeks and then irretrievably destroyed. The Keeper agrees Redress Scotland have destruction processes in place for the secure and irretrievable destruction of their public records.
7. Archiving and Transfer	**A**	**G**	The Act requires that all Scottish public authorities identify a suitable repository for the permanent preservation of any records considered suitable for archiving. A formal arrangement for transfer to that repository must be in place. Redress Scotland recognise the importance of permanently preserving selected records, "Redress Scotland's records are a form of corporate memory store in which we can accumulate knowledge about our operations over time. When records are

properly managed they can be mined as a rich source of information and, over time, will provide information about trends, whether that be about processes, transactions or people." (*Records Management Policy* page 6)

Redress Scotland have identified National Records of Scotland (NRS) as the proper repository for public records suitable for permanent preservation.

NRS is an accredited archive, NRS' Archive Service Accreditation Success | National Records of Scotland (nrscotland.gov.uk) and fully adheres to the Keeper's Supplementary Guidance on Proper Arrangements for Archiving Public Records.

Redress Scotland use the SG eRDMs to manage their public records, which are all digital. The *RMP* explains that when an electronic file is transferred to NRS a record of its transfer is created and remains on the eRDMs as per SG processes.

Redress Scotland are in the process of engaging with the NRS Client Management Team to put in place a formal deposit agreement which will govern the arrangements for the transfer of records for permanent preservation.

Emails (dated October 2022) between Redress Scotland and NRS have been provided as evidence of this ongoing engagement.

The Keeper can agree this element under 'improvement model' terms as a formal in agreement is not yet in place but is being actively worked towards. This agreement is dependent on the Keeper's assessment team being updated on progress and provided with a copy of the deposit agreement once it is place.

8. Information Security	G	G	The Act requires that public records are held in accordance with information security compliance requirements.
			The *Records Management Policy* (page 9) states "Information security is intrinsically linked with records management."
			All Redress Scotland public records are created, held and managed digitally.
			Redress Scotland use the SG SCOTS network and as such are required to follow the SG policies and procedures associated with information security. These policies and procedures are regularly reviewed and updated. Copies of the *Scottish Government IT Security Policy* (March 2022), and *iTECS terms of supply* (September 2022) have been provided. These are accessible to staff on the SG intranet site, Saltire, and a screenshot showing access to the *IT Code of Conduct* has been provided.
			While all Redress Scotland public records are digital, physical security measures are also addressed in the *Scottish Government IT Security Policy*. This policy also provides information on incident response and the reporting of information security breaches.
			The *iTECS terms of supply* notes that the Scottish Government network is accredited to the National Cyber Security Centre's Cyber Essentials Plus level.
			In 2022 the Keeper agreed that the Scottish Government had appropriate information security arrangements in place, Assessment Report of the records management plan submitted by the Scottish Government (nrscotland.gov.uk).
			Redress Scotland have Operational and Strategic Risk Registers, copies of both have been provided. The *RMP* notes a planned action to review the Operational and

			Strategic Risk Register to ensure they reflect information risk management and states, "This will further support our approach to risk as records management is a significant strategic risk mitigation" (page 13). The Keeper welcomes this commitment and can be updated on reviews through the PUR mechanism. Government security classifications are in use at Redress Scotland, "All Redress Scotland's staff are responsible for ensuring that they understand and comply with: the Government Security Classification Policy and how to protect records using security markings; their responsibilities under the Data Protection Act for handling records about named individuals; and their responsibilities for compliance with information security procedures." (*Records Management Policy,* page 9). A copy of *Security Classification* guidance has been provided. The *RMP* notes "Redress Scotland has a number of information security policies and procedures which all staff are required to comply with." Staff have access to information security policies and procedures through the SG online learning platform, Pathways. The Keeper is familiar with this platform and the training in place for users of the SCOTS network. All Redress Scotland staff must complete online training modules, "Responsible for Information – General User'" and "Data Protection" on an annual basis. As noted above, Ms Lowe, Head of Policy and Improvement is SIRO for the authority. The Chief Executive (named at element 1) is the Accountable Officer. IAOs are heads of departments and the Policy and Improvement Lead (named at element 2). Copies of *SIRO guidance*, *Role of Information Asset Owner* and *Information Asset Owner Handbook* have been provided. One of the responsibilities of the IAOs is to "Provide an annual written assessment to the Senior Information Risk Owner on the use and security of information assets and the information they hold." (*Information Asset Owner Handbook* page 3)

			The measures in place for managing access to information in the eRDMs are explained in the *Restricting files in eRDM* document provided to the Keeper. The *Information Asset Owner Handbook* contains a section on the secure handling of information and security incidents. A copy of the *Data Protection Policy* has been provided separately (see element 9). Section 14 provides information on data breach reporting. The Keeper agrees that Redress Scotland have procedures in place to appropriately ensure the security of their records as required by the Act.
9. Data Protection	**G**	**G**	The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law. Redress Scotland is a registered data controller. The Keeper has been provided with a copy of *Data Protection Officer certificate from ICO* (Registration number ZB280564). It names Mel Lowe (Head of Policy and Improvement) as the authority's Data Protection Officer (DPO). The *RMP* (page 13) states "Redress Scotland has wide ranging data protection controls in place including high-level procedures, mandatory staff data protection e-learning training and guidance for specific activities." The *RMP* further notes "Our Data Protection Policy is a statement of public responsibility and demonstrates our commitment to compliance with the Act and the safeguarding and fair processing of all personal data held by Redress Scotland, this is due to be published on our website shortly." A copy of the *Data Protection Policy* has been provided separately. This document

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A Privacy Policy is published on the authority's website: Privacy Policy – Redress Scotland. Also published on the website are a Privacy Notice (June 2023) and Subject Access Request guidance (December 2021).

The Keeper has been provided with a draft *Privacy Notice for applicants* dated May 2022, version 0.2. It has been confirmed separately that this is currently being amended, and once approved this document will supersede the published Notice.

Copies of *Privacy Notice for staff, panel members, Board members and candidates for employment*, and two appendices, *Data Retention schedules for employee's personal data (appendix A) and panel members (appendix B)* have been provided separately.

Staff receive in-house training in addition to completing the mandatory annual data protection training through the SG learning platform, Pathways. Copies of *Subject Access Request Guidance* for staff and *Subject Access Request and Freedom of Information Training Slides* have been provided to the Keeper.

The Keeper agrees that Redress Scotland have arrangements in place that allow them to properly comply with data protection legislation.</td></tr>
<tr><td>10. Business Continuity and Vital</td><td>**A**</td><td>**A**</td><td>The Keeper expects that record recovery, prioritising vital records, is an integral part of the authority's business continuity planning.</td></tr>
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| Records | | | All Redress Scotland public records are held on the SG SCOTS network, as such associated SG policies and procedures relating to network use must be relied on. The *iTECS Terms of Supply*, which has been provided, outlines business continuity responsibilities to customers. The Keeper agreed in 2022 that the Scottish Government had appropriate business continuity arrangements in place which make provision for records recovery. It was further agreed that these arrangements are regularly tested and reviewed.

 Back-up and recovery processes are outlined in the *Scots Back Up/Recovery of Electronic Data/Destruction of Hardware* provided to the Keeper. As full records recovery is in place the Keeper accepts it is not necessary to identify vital records.

 Redress Scotland are in the process of developing business continuity plans and processes. Copies of a *Draft Business Continuity Plan* and a *Draft Operational Continuity Plan* have been provided. Section 4 of the *Draft BCP* summaries the SG business continuity arrangements and includes a statement noting it has been confirmed that any systems in use by Redress Scotland are covered by SG arrangements. **These documents are due to be further developed and to go through the approval process in the first quarter of 2023. The Keeper wishes to be notified when this document is finalised and provided with a copy. This can be done through the PUR mechanism.**

 A copy of the *Official documents, reports and policy register* has been provided. It confirms the development of the *Business Continuity Plan* is in progress and will be reviewed annually.

 The Keeper can agree this element under 'improvement model' terms as Redress Scotland are in the process of developing and finalising their business continuity planning and processes. This agreement is dependent on the Keeper being updated on progress. The Keeper acknowledges that all |

			systems in use by Redress Scotland are covered under the business continuity arrangements of the Scottish Government.
11. Audit trail	**G**	**G**	The Keeper expects an authority to have processes in place to track public records in such a way that their location is known and changes recorded. Redress Scotland use the Scottish Government's eRDM (Objective) system to manage their public records. The eRDMs has a powerful search function, and automatic version control and audit trail which records who accesses, edits or deletes files. The Keeper agreed in 2022 that this is an effective system for managing public records. The Keeper agrees it allows users to track public records in such a way that their location is known and changes recorded. Redress Scotland have naming convention guidance in place to ensure the automatic search function in the eRDMs can be used effectively. A copy of this guidance has been provided. All staff are required to complete eRDMs training before being given access to the system. A screenshot has been provided showing this. It has been confirmed separately that mandatory training for all staff on records management has been developed by Redress Scotland and is now available. Staff access this through the SG Pathways learning site, which the Keeper is familiar with. A screenshot of the Redress Scotland records management training site has been provided, which includes a module on naming convention and version control. An email has also been provided informing all staff of the mandatory training and the date for completion. The Keeper agrees Redress Scotland has procedures in place that will allow them to locate their records and assure themselves that the located record is the correct

	G	**A**	version.
12. Competency Framework for records management staff			The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported. The *Records Management Policy* (page 7) commits "to ensuring that a clear records management governance structure is established and developed to ensure that it is fit for purpose and that sufficient resource is allocated." The Keeper welcomes this statement. The *RMP* indicates a clear commitment to supporting staff in records management training and attending courses. As noted at element 2, three members of staff with specific records management responsibilities have completed or are in the process of completing external training. **The Keeper is confident Mr Henderson, Policy and Improvement Lead (named at element 2), will receive similar support in undertaking records management training. As noted at element 2, evidence to demonstrate this, when available, can be provided to the Keeper through the PUR process.** Redress Scotland have developed a *Records Management Competency Framework*, a copy of which has been provided. It outlines the expected competencies of the Corporate Records Manager, which include working towards gaining a professional qualification in information and records management. The Keeper commends the development of this document. **As noted at element 2, it has been confirmed separately that this document has been updated to reflect the changes in staffing since submission. A copy of the updated document has been requested.** All staff must undertake and achieve a pass mark in mandatory SG e-learning modules, "Information Management"' and "Data Protection". These must be

completed annually. All staff are required to complete eRDMs training before being given access to the system.

Staff can access training and relevant SG policies and guidance on IT and eRDMs use through the SG intranet site, Saltire, and learning platform, Pathways.

Staff undertake in-house SAR and FOI training, as noted under element 9. Copies of *Subject Access Request and Freedom of Information Training Slides* have been provided to the Keeper.

In addition, since submission, it has been confirmed separately that "Specific mandatory training for all staff on records management has been developed and launched. The training has been developed using the records management policy that has been agreed for Redress Scotland. All staff have until the end of May 2023 to undertake the training for 2023/24." Staff access this through the SG Pathways learning site, which the Keeper is familiar with. A screenshot of the Redress Scotland records management training site has been provided. An email has also been provided informing all staff of the mandatory training, the date for completion and a link to access the training platform.

A copy of the *Information Asset Owners Handbook* has been provided. It includes links to training resources (pages 21-22).

The Action Plan section of the *RMP* also commits to identifying and providing access to records management training opportunities to staff. This commitment is commended by the Keeper.

The Keeper agrees that Redress Scotland consider information governance training for staff as required. The Keeper is confident that the individual identified at element 2 will be supported in training as demonstrated for other

	<td style="background:green"></td>	<td style="background:orange"></td>	**staff with records management responsibilities. This agreement is under 'improvement model' terms as the newly appointed Policy and Improvement Lead has not yet had the opportunity to complete training. Evidence of such training can be provided through the PUR mechanism.**
13. Assessment and Review	**G**	**G**	Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review. Redress Scotland will review their *RMP* on an annual basis (*RMP* pages 3 and 9). The Head of Policy and Improvement will be responsible "for overseeing the Records Management Plan and making sure that the supporting documentation is kept up to date. They will update content that falls under their responsibility or ask the relevant area to update content owned by them." (*RMP* page 17). The *Records Management Policy* (page 7) supports this identification and further outlines the responsibilities of the role, which include ensuring "the development and implementation of the records management plan, including this policy and supporting standards, procedures and guidelines; the identification of corporate resource requirements; and decisions on the storage of Redress Scotland records." In addition, the Head of Policy and Improvement, as SIRO, will be responsible for monitoring compliance with the *Records Management Policy*, associated guidance, and disseminating advice and guidance to staff. This will be done "in consultation with Information Asset Owners." The Policy and Improvement Lead is Redress Scotland's Corporate Records Manager and is identified as an IAO (see element 2). Redress Scotland's Oversight Board is identified as having overall responsibility for the *Records Management Policy* and for "the continued development, implementation and review of supporting standards, procedures and guidelines" and the Audit Risk and Assurance Committee will advise on governance and support compliance with the policy (*Policy* page 7).

			Redress Scotland make a clear commitment to ensuring supporting documentation is kept up to date. The *RMP* states that all policies and procedures will be reviewed annually. In addition, the authority notes that these have been produced in consultation with colleagues and reviewed to ensure they meet business and legislative requirements (*RMP* page 17). A copy of Redress Scotland's *Official documents, reports and policy register* has been provided. This monitors documents as they go through the approval process. The person or area responsible and the frequency of review is recorded in this register and confirms the *RMP, Records Management Policy* and *Business Continuity Plan* will be reviewed annually. The *RMP* commits to the annual review of the business classification scheme as well as a review now the authority is fully operational and following the attendance of staff at external records management training (see element 4). The *RMP* also commits to the ongoing review of retention and disposal schedules. The Keeper welcomes the acknowledgment that retention schedules are subject to regular change to meet business needs. The authority commits to participating in the voluntary Progress Update Review (PUR) process every three years and reporting on this to the SIRO. While this is commended by the Keeper, it should be noted that the PUR mechanism is a reporting tool rather than a methodology for measuring compliance. An invitation to participate will be sent annually to the Policy and Improvement Lead. The *RMP* (page 7) notes the planned action, "During the first quarter of 2023 we will develop an action plan to support records management within Redress Scotland with a view to monitoring, maintaining and improving our overall approach to records management." The Keeper welcomes this commitment.

The *Records Management Policy* (page 7) explains that the Head of Policy and Improvement will be supported by Heads of Departments and that "Managers at all levels are responsible for ensuring that records within their team are created, received and controlled; and that systems (electronic or otherwise) and procedures are managed in a way which meets the aims of this policy. Managers are responsible for ensuring sufficient team resources are dedicated to this and for undertaking quality assurance of team records management processes and practices."

It has been explained separately that Redress Scotland have introduced a formal *Quality Assurance and Improvement Framework*, a copy of which has been provided. The *Framework* sets out and explains the self-evaluation process to be used. It has also been confirmed that as part of the implementation of this framework the Policy and Improvement Lead, supported by the Head of Policy and Improvement, will review Key Performance Indicators (KPIs) with the authority's data analyst. It has further been explained that "this includes FOIs, complaints (and compliments to be added), we will also be reviewing any security/data breaches etc. across the organisation to ensure that they have been responded to and addressed in line with all relevant policies and procedures." A copy of the KPIs has been provided.

Redress Scotland have provided additional information separately which notes "A report for ARAC will be submitted every quarter. Records management is also committed to in our operational and improvement plan which sits under and supports delivery of our business plans for 2023/23. In addition, further development of records management is being continued throughout 2023/24 in relation to the review and where required amendments to our current file plans across all departments."

Redress Scotland use SG iTECS Services (Objective eRDMs and SCOTS network.

			As such several aspects of records management provision are reliant on SG policies and procedures. The authority acknowledge this and explain how they will remain updated on any changes. If there are updates to the eRDMs or a change in provision, Redress Scotland commit to review the *RMP* to reflect this (*RMP* pages 17-18). The Keeper has previously agreed that the Scottish Government have appropriate review mechanisms in place. The Keeper agrees that Redress Scotland 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. Furthermore, she agrees that supporting policy and guidance documents have appropriate review periods allocated.
14. Shared Information	**G**	**A**	The Keeper expects a Scottish public authority to ensure that information sharing, both within the Authority and with other bodies or individuals, is necessary, lawful and controlled. Redress Scotland state in their *Records Management Policy* (page 4) that one of the benefits of implementing records management systems and processes is improved information sharing and the provision of quick and easy access to the right information at the right time. Redress Scotland routinely undertake data sharing with the Scottish Government in the operation of Scotland's Redress Scheme. The *RMP* (page 18) states the authority "share information in accordance with Data Protection regulations and the Freedom of Information (Scotland) Act." As noted at element 9, Redress Scotland commit to using data sharing agreements where necessary and section 10 of the *Data Protection Policy* specifically addresses data sharing.

			A copy of a *Data Sharing Agreement with the Scottish Government* (dated May 2023) has been provided separately. Section 7 outlines the process for sharing. The *RMP* (page 18) states it is the intention that this document will be adapted by staff to suit the specific data sharing needs as required. **It has been confirmed separately that the *Agreement* supports a *Data Sharing Policy*. This *Policy* is in the process of being signed-off by the Scottish Government. The Keeper wishes to be provided with a copy of this *Policy* once it is finalised. The PUR mechanism can be used to provide such updates.** **A *Framework* document setting out the relationship between the SG and Redress Scotland has also been supplied. It has been confirmed separately that this document is currently with SG colleagues for agreement. The Keeper wishes to be notified once it has been agreed. The PUR mechanism can be used to provide such updates.** As noted under element 4, a CMS system is used for data sharing between the SG and Redress Scotland. The authority also use the eRDMs Objective Connect collaboration tool to provide additional control when sharing records. Redress Scotland staff are required to undertake annual data protection training (see elements 9 and 12). Additional staff guidance on the distribution of information in both hardcopy and digital formats is available in the working from home training and advice on the SG intranet. A screenshot has been provided showing how staff access this guidance. The *RMP* (page 18) also explains Redress Scotland "has a guide to information approved by the Scottish Information Commissioner. This outlines and links to the information the organisation will routinely publish and make available."

	■	■	**The Keeper agrees that Redress Scotland considers records governance when undertaking information sharing programmes. This agreement is however under 'improvement model' terms. The Keeper requires confirmation that the Data Sharing Policy and Framework document are signed-off and operational before she can fully agree this element.**
15. Public records created or held by third parties	**N/A**	**N/A**	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). The *RMP* (page 9) states "Redress Scotland do not have any third parties who carry out any functions of Redress Scotland that would involve the creation of record and the holding of records." The Keeper accepts this statement and expects to be informed if this situation should change in the future.

General Notes on submission:

Version: This assessment is on the Redress Scotland Records Management Plan (the RMP) submitted to the Keeper for agreement on 30th November 2022. This is version 1.0, dated November 2022. The RMP (page 5) notes "Joanna McCreadie, Chief Executive, has signed off this draft Records Management Plan for submission to National Records of Scotland in advance of it being submitted to our Oversight Board."

The timing of the submission of Redress Scotland's Records Management Plan coincided with recruitment of staff and the ongoing finalising of processes and documentation. The Keeper recommends the version of the Plan be updated to reflect these changes and improvements at the next planned review, and if the authority intend to publish it.

The RMP mentions the Act and is based on the Keeper's, 15 element, Model Plan http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan

The authority acknowledge records as a vital asset in the introduction of the RMP, "Records represent a vital asset, which support the daily functions of Redress Scotland and protect the interests and rights of staff, panel members and applicants, who have dealings with Redress Scotland." And "Effective record keeping supports efficiency, consistency and continuity of work and enables Redress Scotland to deliver optimum services. It ensures that the correct information is: captured, stored, maintained, retrieved and destroyed or preserved in accordance with business need, statutory and legislative requirements."

The Records Management Policy (page 7) commits "to ensuring that a clear records management governance structure is established and developed to ensure that it is fit for purpose and that sufficient resource is allocated."

6. Keeper's Summary

Elements *1-15* that the Keeper considers should be in a public authority records management plan have been properly considered by **Redress Scotland**. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by Redress Scotland are as follows:
Element 2 - Records Manager
Element 4 - Business Classification
Element 7 - Archiving and Transfer
Element 10 - Business Continuity and Vital Records
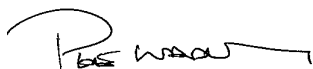Element 12 - Competency Framework for records management staff
Element 14 - Shared Information

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **Redress Scotland**.

- The Keeper recommends that Redress Scotland 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,

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Pete Wadley
Public Records Officer

…………………………………

Liz Course
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 Redress Scotland In agreeing this RMP, the Keeper expects Redress Scotland to fully implement the agreed RMP and meet its obligations under the Act.

Laura Mitchell
Deputy Keeper of the Records of Scotland