The Public Records (Scotland) Act 2011

Scottish Public Pensions Agency

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

25th February 2022

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 into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

The Act has its origins in *The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995* (The Shaw Report) published in 2007. The Shaw Report recorded how its investigations were hampered by poor recordkeeping and found that thousands of records had been created, but were then lost due to an inadequate legislative framework and poor records management. Crucially, it demonstrated how former residents of children's homes were denied access to information about their formative years. The Shaw Report demonstrated that management of records in all formats (paper and electronic) is not just a bureaucratic process, but central to good governance and should not be ignored. A follow-up review of public records legislation by the Keeper of the Records of Scotland (the Keeper) found further evidence of poor records management across the public sector. This resulted in the passage of the Act by the Scottish Parliament in March 2011.

The Act requires a named authority to prepare and implement a records management plan (RMP) which must set out proper arrangements for the management of its records. A plan must clearly describe the way the authority cares for the records that it creates, in any format, whilst carrying out its business activities. The RMP must be agreed with the Keeper and regularly reviewed.

2. Progress Update Review (PUR) Mechanism

Under section 5(1) & (2) of the Act the Keeper may only require a review of an authority's agreed RMP to be undertaken not earlier than five years after the date on which the authority's RMP was last agreed. Regardless of whether an authority has successfully achieved its goals identified in its RMP or continues to work towards them, the minimum period of five years before the Keeper can require a review of a RMP does not allow for continuous progress to be captured and recognised.

The success of the Act to date is attributable to a large degree to meaningful communication between the Keeper, the Assessment Team, and named public authorities. Consultation with Key Contacts has highlighted the desirability of a mechanism to facilitate regular, constructive dialogue between stakeholders and the Assessment Team. Many authorities have themselves recognised that such regular communication is necessary to keep their agreed plans up to date following inevitable organisational change. Following meetings between authorities and the Assessment Team, a reporting mechanism through which progress and local initiatives can be acknowledged and reviewed by the Assessment Team was proposed. Key Contacts have expressed the hope that through submission of regular updates, the momentum generated by the Act can continue to be sustained at all levels within authorities.

The PUR self-assessment review mechanism was developed in collaboration with stakeholders and was formally announced in the Keeper's Annual Report published on 12 August 2016. The completion of the PUR process enables authorities to be credited for the progress they are effecting and to receive constructive advice concerning on-going developments. Engaging with this mechanism will not only maintain the spirit of the Act by encouraging senior management to recognise the need for good records management practices, but will also help authorities comply with their statutory obligation under section 5(1)(a) of the Act to keep their RMP under review.

3. Executive Summary

This Report sets out the findings of the Public Records (Scotland) Act 2011 (the Act) Assessment Team's consideration of the Progress Update template submitted for the Scottish Public Pensions Agency. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

4. Authority Background

The Scottish Public Pensions Agency (SPPA) administers pensions on behalf of the Scottish Government for Teachers, the Police and Firefighters as well as for employees of the National Health Service in Scotland.

SPPA also provides policy advice to Scottish Ministers on public sector pension issues and is responsible for developing the regulations for Scotland's Local Government Pension Scheme – and for determining any appeals made by its members. SPPA also provides a pension calculation service for the Legal Aid (Scotland) Pension Scheme and the Scottish Parliamentary Pension Scheme.

https://pensions.gov.scot/

5. Assessment Process

A PUR submission is evaluated by the Act's Assessment Team. The self-assessment process invites authorities to complete a template and send it to the Assessment Team one year after the date of agreement of its RMP and every year thereafter. The self-assessment template highlights where an authority's plan achieved agreement on an improvement basis and invites updates under those 'Amber' elements. However, it also provides an opportunity for authorities not simply to report on progress against improvements, but to comment on any new initiatives, highlight innovations, or record changes to existing arrangements under those elements that had attracted an initial 'Green' score in their original RMP submission.

The assessment report considers statements made by an authority under the elements of its agreed Plan that included improvement models. It reflects any changes and/or progress made towards achieving full compliance in those areas where agreement under improvement was made in the Keeper's Assessment Report of their RMP. The PUR assessment report also considers statements of further progress made in elements already compliant under the Act.

Engagement with the PUR mechanism for assessment cannot alter the Keeper's Assessment Report of an authority's agreed RMP or any RAG assessment within it. Instead the PUR Final Report records the Assessment Team's evaluation of the submission and its opinion on the progress being made by the authority since agreeing its RMP. The team's assessment provides an informal indication of what marking an authority could expect should it submit a revised RMP to the Keeper under the Act, although such assessment is made without prejudice to the Keeper's right to adopt a different marking at that stage.

Key:

G	The Assessment Team agrees this element of an authority's plan.	A	The Assessment Team agrees this element of an authority's progress update submission as an 'improvement model'. This means that they are convinced of the authority's commitment to closing a gap in provision. They will request that they are updated as work on this element progresses.	R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Assessment Team may choose to notify the Keeper on this basis.

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Progress Update Review (PUR) Template: Progress Update Review (PUR) Template: Scottish Public Pensions Agency (Part of 'Scottish Ministers')

Element	Status of elements under agreed Plan 06AUG14	Progress assessment status 16JAN20	Progress assessment status 25FEB22	Keeper's Report Comments on Authority's Plan 06AUG14	Self-assessment Update 24SEP19	Progress Review Comment 16JAN20	Self-assessment Update as submitted by the Authority since 16JAN20 November 2021	Progress Review Comment 25FEB22
1. Senior Officer	G	G	G	Update required on any change.	Matthew Valente, Head of Business Management.	The Assessment Team thanks SPPA for alerting us to this change which we have noted.	**Update:** **David Robb** **Interim Chief Executive of SPPA** **Iain Coltman** **Interim Head of Regulatory Affairs** **25/02/2022 Update - SPPA further informs the Assessment Team that:** • **David Robb's role as Chief Executive of SPPA is now permanent.** • **Iain Coltman's responsibilities have been transferred to Craig Gardiner, Chief Operating Officer.**	The Keeper's Assessment Team thanks SPPA for the update. These changes have been noted. **25/02/2022 Update - The Assessment Team thank SPPA for the further update.**
2. Records Manager	G	G	G	Update required on any change	Jonathan Sharp remains the point of contact but now holds the post of *Head of Security* (since August 2016) which represents a dedicated role responsible for ensuring that SPPA is compliant with the HM Government's Security Policy Framework (SPF) with a focus on risk management and implementation of an Information Assurance (IA) Strategy. Areas of responsibility include: • Data Protection (including implementing GDPR) • Data Security • Records Management	The Assessment Team thanks SPPA for alerting us to this change which we have noted. As a matter of fact we already had Mr Sharp's new job title on record, but the expanded information about the information governance responsibilities this job entails is useful. The Assessment Team acknowledge that there may be changes in the element shortly and thanks SPPA for their commitment to keep the Keeper informed.	**Update:** **Jonathan Sharp** **Following the review identified previously I have had a change of job title though my responsibility for records management remains.** **My new job title is:** **"*Data Protection and Information Governance Manager*"** **My job description has been provided for reference (*Supporting Document 1*).** **Within the organisational structure I'm located within the Regulatory Affairs business area of which Iain (mentioned above) is interim Head of Department.** **25/02/2022 Update – SPPA have further informed the Assessment Team that Jonathan Sharp, who has responsibility for**	The Team thanks SPPA for this update which has been noted. **25/02/2022 Update - The Assessment Team thank SPPA for the further update.**

	G	G	G		• Information Assurance • Protective Security (physical and personnel security) • Business Continuity • Cyber Resilience This role is due to be reviewed during 2019-20 as part of SPPA's Target Operating Model project. The Keeper will be updated with regard to any changes in responsibilities and/or personnel.		**records management, is now line managed by Craig Gardiner, Chief Operating Officer.**	
3. Policy	G	G	G	The introduction to the RMP commits SPPA to review the *Records Management Policy* as part of its 'annual review cycle'. The Keeper commends this approach and would be interested in hearing of any changes following these reviews.	1. As part of business as usual, SPPA undertakes an annual review of Information Assurance during Q3 of each year. This encompasses a review of the Records Management Policy (RMP). 2. The RMP remains largely unchanged since the submission to The Keeper. The plan has been amended to encompass GDPR. 3. In August 2016-17 an independent audit of Information Assurance was undertaken by security specialist Keith Nicholson. This was part of a broader suite of audits encompassing security at SPPA. The resulting audit praised the approach taken by SPPA and the resulting recommendations were made to enhance '…the existing good practices as a foundation for further development' 4. During 2018-19 Scottish Government Internal Audit undertook	The Assessment Team acknowledge receipt of an updated SPPA Records Management Policy. This is version 3 (August 2019). We will retain this on file in order that the SPPA submission can be kept up-to-date. In their original submission the SPPA committed to updating relevant policy documents on a regular basis. The Assessment Team appreciates the confirmation that this is being done. The Assessment Team notes the continual review of the authority's records management provision that has been undertaken since the original agreement (see element 13 below)	**Update:** **The annual review schedule remains in place as previously described.**	Update received with thanks. It is positive hear that the records management policy continues to be kept under annual review.

	G	A	A		a review of SPPA's *Data Quality and Records Management* giving an overall *reasonable* assurance. Recommendations included adequate succession planning for the Head of Security role, a decision on a Data Protection Officer role within SPPA, adoption of an eRDM system and review of the file retention schedule.			
4. Business Classification	G	A	A	The comprehensive Business Classification Scheme (BCS) mirrors the hierarchical structure of the organisation. As the directorate structure of SPPA is currently being amended the Keeper requests that he is sent a revised document should the adjustment result in a new BCS being created.	1. The hierarchical structure is in the process of transition. 2. The Target Operating Model for SPPA is currently being implemented which will enact changes in the organisational structure. The Keeper will be informed of resulting changes to the Business Classification Scheme.	This element temporarily turns Amber as the Business Classification Scheme of the SPPA is currently in 'the process of transition'. The Assessment Team is perfectly content that this situation will resolve itself over the next year or so and look forward to an update (and the element reverting back to Green) in subsequent PURs. SPPA has committed to keeping the Assessment Team updated on progress.	**Update:** 1. **Alongside the Agency restructure I have been working with a new Senior Leadership Team (SLT) which I have assisted by reaffirming the various roles and responsibilities around information assurance. I include a template letter that has been issued to our Heads of Departments (aka our SLT) from SPPA's CEO. This formally assigns them as Information Asset Owners (*Supporting Document 2*). IAO training has been undertaken via the Civil Service Learning Portal and in addition I led an overview session with them during May 2021. I've included the PowerPoint slide pack as evidence (*Supporting Document 3*). The annual certificate of assurance process will confirm compliance and forms part of the annual Information Assurance review within the Agency.** 2. **Both the Business Classification Scheme and File Retention Schedule have been integrated into one document (*Supporting Document 4*). This has been adjusted to fit the new organisational structure but remains actively under review as newly formed business areas and IAOs embed. The desired evolution of this document is to provide an enhanced guide to retention but offer:**	The Team note with thanks receipt of the template letter issued to the SLT informing them of their formal position as Information Asset Owners, and the PowerPoint slides relating to IOA training. It is positive to hear that awareness and training relating to information assurance, and the annual certificate of assurance process are is ongoing. The Assessment Team thank SPPA for providing us with their Business Classification Scheme and File Retention Schedule. It is positive to hear that the document remains under review as the new organisational structure beds-in, and that the authority has planned for its development and evolution. The Team thanks SPPA for providing an update regarding the planned replacement of the G:Drive with an

	 	 	 				a direct reference to the Information Asset Register **a location within the a new eRDM system to assist locating assets (involving naming conventions)** **a description and justification for why the information is required (supporting GDPR compliance)** **SPPA aligns with Scottish Government guidance and practice concerning retention periods (as included within the evidence pack.)** 3. **In October 2021 SPPA's Project Implementation Board accepted a proposal and business case to replace the G:Drive with an eRDM system (*Supporting Document* 5). Agency budget for the financial year 2022-23 is to finalised by Ministers during Q3 of this current financial year.** *Please note this system is not for our pension administration records as this is held on a bespoke system. eRDM would typically hold our 'back office' information.*	eRDM to hold their organisational information. Implementation of an eRDM will significantly bolster effective records management across the authority and allow a more controlled RM solution than shared drives. The Team would be interested to hear how this implementation progresses in subsequent PURs. The authority are clearly working hard to bring this Element into full compliance. While SPPA begin work to transition from the G:Drive to the new eRDM, the element temporarily remains at Amber.
5. Retention Schedule	**G**	**G**	**A**	SPPA have outlined steps they will take to maintain the integrity of retention periods in light of the planned changes to corporate systems over the next few years. The Keeper welcomes this commitment and asks that he is updated should fundamental changes occur.	1. SPPA continues to maintain a File Retention Scheme which is reviewed annually as part of the Information Assurance Review. The schedule is being revised to accommodate the change in organisational structure and identify a greater level of detail in respect to links with Information Asset Owners and individual Information Assets that we have registered. 2. SPPA are currently working with *Aquila Heywood* to enhance SPPA's existing Pension administration system (*altair*). The Altair Improvement	For the information assurance review see element 13 below. The Assessment Team acknowledges that the update of the Altair line-of-business system was completed during the period this PUR was being assessed. The Keeper should be able to agree that specialist case administration systems have retention (element 5) and document tracking (element 11) functionality. This is clearly a key system for managing	**Update:** **Please see section 4 above.** **The Altair Improvement Programme has successfully integrated Payroll data from another IT system (Resourcelink) and removed legacy data that was no longer required outside of Altair. This has streamlined internal processes and minimised the amount of data required for the purposes of processing pension payments. The improvement programme has, overall, delivered better methodology and structure to the delivery of system updates to ensure that functionality is not impacted and potential disruption to users has been minimised. This has involved:** **Agreeing a Release Management Framework with the supplier** **Improving '*route to live*' planning**	As noted by the authority in Element 4, management of "back office" information, currently held on shared drives will soon be migrated to an eRDM. This will streamline RM practices across the authority, including functions relating to retention. The Assessment Team thank SPPA for provision of their Retention Schedule. The Team thank SPPA for the update pertaining to their line-of-business systems. It

					Programme will, by 2020, involve the following:	the activities of SPPA and the Assessment Team thanks them for sharing details of the improvement programme here. They look forward to further updates once the enhancements have been rolled-out and are fully operational.	• **Smoke testing which has recorded all of the regression, functional and payroll testing**	is positive to hear that the Altair pension administration system has, on the whole, helped improve functionality. The Team acknowledge that SPPA are approaching the end of their contract with the Altair IT system and are currently looking to re-tender for a pension administration system. This will give the authority the opportunity to address some of the limitations SPPA note relating to Altair, including the lack of integrated self-service functionality. The Team are pleased to hear that records management considerations including Retention Schedule and Audit Trail (Elements 5 and 11) have played a significant role in preparations surrounding the Pension Platform Programme.

• Migrating the payrolls for NHS and Teachers schemes from Northgate to Aquila Heywood's Altair system
• Implementing the Altair member self-service web portal and an 'i-Connect' employer web portal to improve online experiences for customers
• Undertaking a continuous improvement initiative to develop better use of the Altair software in the administration areas of the NHS and Teachers schemes

The expected benefits are:

• Streamlined business processes
• Accurate and consolidated management information
• IT cost reduction and systems consolidation
• Reduction of Pension Administration costs
• Reduced training costs
• Improved regulatory and legal compliance
• Increased productivity and efficiency (workflow v manual)
• Improved accuracy and valuable data relating to key performance indicators which will allow managers to manage their resources more effectively
• Greater automation
• Self-Service functionality for both SPPA users and external customers
• Improved data quality through better validation

The current system has known functionality limitations due to the bespoke nature of Altair to accommodate the nuances of four pension schemes and limits the integration of an online self-service provision for customers which is currently hosted separately.

With the Altair pension administration system IT contract now approaching its conclusion, there is a legal requirement to undertake a full procurement to re-tender for a pension administration system for SPPA which will include integrated self-service functionality.

In November 2021 the business case for a Pension Platform Programme was formally approved by our Minister, Tom Arthur, and Kate Forbes, Cabinet Secretary for Finance and the Economy. This is a full replacement project for the existing Pension Administration System. A records management dimension (including PRSA elements 5 and 11) have been integral to the *Architecture Principles* and *Non-Functional Requirements* preparations, before SPPA formally goes out to tender in mid-December 2021.

If this was a formal resubmission of the authority's RMP, it is likely that the Element would turn Amber while SPPA's new eRDM properly "beds-in." This is therefore reflected here for the purposes of the PUR, and the Team is content that this is temporary. SPPA are working hard to bring Element 5 into full compliance. We look forward to updates in future PURs.

| 6. Destruction Arrangements | A | A | A | Due to the nature of the authority's core business, electronic case files are held indefinitely. The authority is in the process of redesigning their systems under an 'Information Assurance Strategy' and the Keeper understands that formal electronic record deletion procedures will be part of that design. The Keeper requests that, when the new system is in place, he receives a copy of the staff instructions on deleting electronic records to keep the SPPA submission up-to-date. The Keeper would recommend that SPPA considers issuing staff guidance on the irretrievable deletion of e-mail as part of these instructions.

The Keeper agrees this element under 'improvement model' terms. This means that he is convinced of the authority's commitment in closing a gap in provision. He will request that he is updated as work on this element progresses. | 1. Secure waste disposal processes remain unchanged.

Secure waste cabinets are provided throughout the building along with on-site secure document destruction with certification.

2. SPPA are approaching the conclusion of a paper scanning exercise to reduce the amount of paper files held by SPPA. These primarily include Policy and Finance files that are required to be kept in accordance with the SPPA File Retention Policy. The scanned files are being held securely on a searchable database, accessed only by those with a business need. The scanning is to BIP 0008 standard and is being undertaken by the Scottish Government's Central Scanning Unit (CSU). The paper files, once scanned, are held by CSU for six months before being securely destroyed.

3. Workflows have been added to *altair* to aid and track the processing of personal information requests under Data Protection Legislation. This includes the *right to erasure*. | The Assessment Team acknowledges the update regarding scanning of paper record and is content that the destruction of hard copy records is controlled and secure.

However, this PUR does not address the issue of the destruction of digital records nor does it provide an update on the Information Assurance Strategy which SPPA had originally indicated might address guidance on electronic record destruction. SPPA have confirmed to the Assessment Team that The process to review the SPPA file retention policy will address guidance on electronic file destruction as we work through each department.

This element remains at amber for the moment. However, SPPA should be aware that should the Keeper require a formal re-submission he would expect clear evidence that the controlled, secure and irretrievable destruction of digital records in line with the authority's retention schedules has been addressed. | **Update:**

File retention and destruction in respect to core business case files is being addressed by the Pension Platform Programme.

Example extract from invitation to tender:

| NFR-015 | **Data Retention**
Does your platform comply with SPPA's data retention policy of retaining membership records (including but not limited to NI number, names, contact details, contributions etc) for the **duration of this contract and any extensions**, combined with the ability to migrate and/or archive the data to a subsequent platform and provider? |

Destruction of Digital Records

G:Drive: The replacement project will involve a 'housekeeping' exercise to ensure that only necessary information is retained. The involvement of Information Asset Owners in this process is seen as being critical to the success of this stage of the project.

Information Assurance Strategy: This was approved during Q3 2020-21 and many of the actions detailed within this update have been contributing toward positively influencing actions around records management. (*Supporting Document* 6)

The '*Information Assurance Umbrella*' has proved to be a useful turn of phrase when interlinking the world of records management, data protection, physical/cyber security and legislative compliance as a public body. The organisation is clearly in a process of resetting but the existence of strategies and policies has helped inform decision makers about key roles and key actions. | The Assessment Team acknowledge that SPPA are in the process of replacing their pension administration system and that the retention and destruction of core business case files will be addressed during the implementation of the new platform, as exemplified in the authority's example extract from the invitation to tender.

The Team thanks the authority for the update regarding their procedures for the destruction of digital records. Once in place, the new eRDM will help streamline retention and destruction processes. It positive to hear that SPPA are planning to undertake a "housekeeping" exercise to ensure the appropriate retention and disposal of records during the transition from shared drives to the eRDM.

The Team acknowledge receipt of the Information Assurance Strategy document with thanks. The Team agree that, particularly during this ongoing period of resetting for the authority, the existence of clear and structured strategies, policies and guidance helps encourage consistency and good practice in information |

							Pension Administration: The Pension Platform Programme have committed to review the retention of pension case files. Currently this follows standard '100 years' there is a need to ensure the Agency holds no more information than is necessary; especially given that over the passage of time the amount of records held has grown and impacts on data transfers, back-ups, storage requirements and cost. **Guidance on electronic record destruction: Timescales on the destruction of electronic records are detailed within the File Retention Schedule which has, in turn, been informed by Scottish Government standards on file retention and disposal (*Supporting Document* 7).**	management across the organisation. SPPA note that the Pension Platform Programme are planning a review of retention periods relating to pension case files. The current 100 years standard retention will be weighed against the impact on factors including data protection responsibilities, storage, data transfer, back up provision, and cost. The Team would be interested to hear the results of this review in future PURs. It is positive to hear that SPPA have aligned their guidance on electronic record destruction with the Scottish Government standards on file retention and destruction. The Team, thank SPPA for the provision of the supporting documentation The Assessment Team commend SPPA's hard work in relation to their destruction arrangements. The Element remains at amber while the authority progresses in the implementation of their new systems.
7. Archiving and Transfer	**G**	**G**	**G**	Update required on any change	No change	No immediate action required. Update required on any future change.	**Nothing to update**	Noted with thanks, update required on any future change.

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							The Assessment Team notes that SPPA have been engaging with the National Library of Scotland regarding archiving certain documents (that have already been published).		

8. Information Security	G	G	G	SPPA have embarked on an Information Security project that will take some considerable time to complete. To assist this they have created an *Information Assurance Maturity Assessment* process. This is reviewed annually and is next due for review by the end of the second quarter 2014-15. The Keeper commends these efforts and requests receipt of updates on this project in order to keep the SPPA submission current.	1. SPPA continues to review Information Assurance Maturity on an annual basis. 2. In October 2017 SPPA became a Cyber-Catalyst organisation under the Public Sector Action Plan on Cyber Resilience. 3. As part of the commitment to be a Public Sector Cyber Catalyst organisation, SPPA has achieved Cyber Essentials accreditation and is currently working towards Cyber Essentials Plus accreditation by the end of Q4 2019-20. 4. SPPA Head of Security has utilised internal staff communications to improve the security culture within the organisation. A key element of this includes good practices in respect to information security. 5. Information Security risk is reviewed on a quarterly basis by SPPA's Risk Governance Group.	For review see under element 13 below. The Assessment Team thank SPPA for updating them on Cyber-Catalyst: https://www.gov.scot/publications/cyber-resilience-strategy-scotland-public-sector-action-plan-2017-18/ They look forward to an update on Essentials Plus in a subsequent PUR. See also under element 12 below.	**Update** 1. **SPPA Head of IT is currently considering the benefits of attaining Cyber Essentials Plus accreditation on the basis that the majority of SPPA IT systems are hosted and provided by the Scottish Government's iTECS Team. For SPPA to undergo the CE+ assessment process, systems hosted by iTECS would fall within this scope though these have already been accredited as part of the Scottish Government's own actions to become CE+ accredited. I'm awaiting a firm decision on this matter.** 2. **SPPA remains an active Cyber Catalyst organisation. Support has been provided, for example, by contributing to research in to the development of a Table Top Exercising Framework for public sector bodies. Once published, this will help organisations structure a programme of business continuity/cyber tests to ensure consistency and validity.** 3. **SPPA has aligned with the most recent iteration of the Public Sector Action Plan. This can be provided if you would like to see further detail.**	Update noted with thanks. The Team would be interested to hear how the decision on Cyber Essentials Plus accreditation progresses in future PURs. It is positive to hear that the authority continues to be an active Cyber Catalyst organisation and are actively contributing to the development and improvement of information security practice across public sector bodies. The Team thank SPPA for noting that the authority is aligned with the Cyber Resilient Action Plan strategic framework for the public sector. SPPA are clearly committed to maintaining compliance with Element 8, and are commended by the Assessment Team for their hard work.
9. Data Protection	G	G	G	Update required on any change	1. SPPA undertook a comprehensive project to prepare for the new data protection legislation.	As with all other Scottish public authorities the Scottish Public Pensions Agency have been	**Update** **As SPPA's Data Protection Practitioner I have continued to engage with the core Scottish Government; especially around**	The Team thanks SPPA for the update. We welcome news that authority has continued to engage with the

					This was challenged by a cross cutting review into GDPR preparedness undertaken by the SG Internal Audit Directorate in December 2017. It concluded: *"…SPPA are aware of the changes required by for GDPR.* *This is reflected in that there are no major areas of improvement highlighted in this Management Letter although we make three Recommendations in Annex B. Where changes are required, our review work indicated that consideration is contained within SPPA's GDPR Workplan."* The three recommendations related to works that were in progress at the time of the audit; relating to the development of an *altair* workflow, reviewing contracts and updating Data Sharing Agreements with all employers. 2. 100% of SPPA's staff have undertaken Data Protection Training (e-learning was updated to cover GDPR) 3. SPPA continues to work closely with colleagues within the Scottish Government and Information Commissioner's Office as part of a 'practitioner's group' that meets on a quarterly basis. 4. Data Protection risk is reviewed on a quarterly	required to review and update their data protection procedures in light of the 2018 legislation. The Assessment Team acknowledges that the public facing SPPA website has been updated appropriately: https://pensions.gov.scot/data-protection-privacy-policy For review see under element 13 below.	**the impact of Brexit and most recently the proposed reforms of UK GDPR.** **Data Protection awareness throughout the organisation is a continuous process and is often aligned with the topics of cyber security and fraud to help provide better context.**	Scottish Government on current issues surrounding Data Protection. It is positive that Data Protection remains a prominent topic of awareness across the authority, often in conjunction with related matters such as cyber security and fraud.

				Update required on any change				
					basis by SPPA's Risk Governance Group. 5. A Compliance document was prepared at the end of 2018-19 to provide a snapshot of compliance with Data Protection Legislation. This is to be prepared on an annual basis. 6. SPPA Head of Security has achieved Practitioner certification for Data Protection (updated in 2018 to cover GDPR).			
10. Business Continuity and Vital Records	G	G	G	Update required on any change	1. SPPA continues to maintain a Business Continuity Plan (BCP) with regular testing and training with the output reported to the Audit and Risk Committee. Business Continuity testing during 2017-18 was facilitated by Police Scotland Counter Terrorism Advisors on the subject of a Flu Pandemic. During 2018-19, training was organised to focus upon Incident Response Management following the 'Preparing Scotland' guidance SPPA have revised the format of the BCP which is now issued to key staff in the form of a grab bag. 2. Additional resilience in Disaster Recovery has been improved following the installation of an *Arcserve* back-up and recovery solution for SPPA systems. 3. Business Continuity risk is reviewed on a quarterly basis by	The Assessment Team recognise and commend the work SPPA have done to test the efficacy of the authority's Business Continuity Policy and to adjust processes in response to these tests. The Assessment Team thanks SPPA for information regarding Arcserve: https://www.arcserve.com/uk/ For more on review see under element 13 below.	**Update** 1. **SPPA's business continuity planning was utilised successfully during the COVID-19 response to transition colleagues to a homeworking environment. Business critical tasks were considered against the potential rapid reduction of staff numbers due to illness. The structure of response followed the 'Strategic, Tactical and Operational' command approach.** 2. **As referenced within my previous PUR, SPPA had previously undertaken BCP testing on the subject of a Pandemic.** 3. **During Q2 2020-21 SPPA appointed a Risk and Assurance Manager whose role incorporates Business Continuity. This was previously part of my remit when I was formerly 'Head of Security'. Business Continuity is being reviewed in respect to workplace changes as a consequence of both the restructure and the pandemic.** 4. **A cyber related test scenario is scheduled for Q3 of this business planning year.**	The Assessment Team are very pleased to hear that SPPA were able to put their business continuity planning into action successfully during pandemic. This has been a difficult time for many authorities so it is commendable that SPPA has been able to utilise their planning to respond in an efficient manner. The update regarding the appointment of a Risk and Assurance Manager and the review of business continuity as a result of the pandemic is noted with thanks. The Team welcome news that SPPA are also planning a cyber-related test scenario. The authority have clearly worked hard in their commitment to compliance with Element 10. The Team would be interested to

						SPPA's Risk Governance Group.			hear of any updates in future PURs.
11. Audit Trail	G	G	A		When a new electronic records solution is introduced to replace the shared 'G' drive for corporate records new record tracking facilities are likely to be introduced in the organisation. The Keeper requests that he is sent a copy of these when available to ensure that the SPPA submission reflects the current situation in the agency.	1. SPPA remains committed to introducing an electronic records management system to replace the existing G:Drive. A key focus of the procurement will relate to functionality that will assist adherence to SPPA's file retention policy. 2. SPPA are currently investigating the adoption of eRDM to replace the G:Drive and improve the standard of records management. A scoping exercise will be undertaken during 2019-20. To date, a demonstration of eRDM has been held, however, due to the amount of change/capacity constraints on the Agency, it was decided to put implementation planning on hold. A separate project, with a much smaller scope is worthy of note. This will look at specifically, the control, management and policies around documents - specifically those which are served via the website (such as forms) but will also consider system generated documents. The output of the project will be an action plan for documents, which ultimately could act as a template approach for other documents, data and content held within folders. 3. The SG Internal Audit Team have identified the G:Drive as a Data Quality and Records Management risk and are being routinely	The Keeper agrees that shared-drives are a 'Data Quality and Records Management risk' and acknowledges that SPPA are investigating a more controlled solution. This will be fundamental to the authority's records management provision and the Assessment Team will expect to see updates about this project in subsequent PURs. If an eRDM is adopted it is also likely to have a major effect on elements 4,5 and 6. When it is fully-rolled out the SPPA should consider resubmitting their Records Management Plan. PRSA says at section 5.6 "An authority may at any time revise its records management plan and submit the revised plan to the Keeper for agreement." The Keeper can request a re-submission under the Act but may choose not to. When (if?) SPPA is considering a formal re-submission please contact the assessment team to discuss what evidence would need to be supplied public_records@nrscotland.gov.uk We will fully engage and support a section 5 re-submission. Happy to talk through the process at any time.	**Update** **Taking on board the suggestion of a future re-submission, I would suggest that following the implementation of both the G:Drive replacement and a new pension administration system would mark the appropriate time to undertake this exercise.**	The Assessment Team agree with SPPA that following the completion of the implementation of the eRDM and a new pension administration system is a suitable time to resubmit their RMP. As discussed above, these projects will also impact and ultimately improve RM, at Elements 4,5 and 6. To discuss resubmission please contact us at public_records@nrscotland.gov.uk. The Team are happy to talk through the process. The Element turns Amber for the purposes of the PUR while SPPA's new eRDM is implemented. This is likely to be a temporary change in RAG status, as the transition to these new solutions show SPPA's commitment to improving records management practices across the authority.

	<td style="background:green"> </td>	<td style="background:green"> </td>	<td style="background:orange"> </td>		updated in respect to progress. The Keeper's amber 'improvement model' remains a key driver in the need to progress this project once business can accommodate this undertaking.			
12. Competency Framework	G	G	G	The Keeper commends SPPA's commitment to the appropriate training of all staff which will include the addition of records management competencies to the record manager's Personal Learning Plan. SPPA have agreed to share the records management learning objectives, when created, with the Keeper.	1. On an annual basis all SPPA staff undertake: • Data Protection Training (SG, online) • Responsible for Information (Civil Service Learning, online) • Counter Fraud and Bribery (Civil Service Learning, online) Completion is recorded within the staff member's Personal Learning Plan. 2. In June 2017 SPPA Head of Security passed the examination for the 'Practitioner Certificate in Data Protection' (course delivered by PDP) this certificate was updated during 2018 to cover GDPR by undertaking further studies and examination. 3. In September 2017, SPPA Head of Security undertook an Information Asset Owner's 'train the trainer' workshop hosted by the National Archives. The training provides access to a range of training modules that can be delivered to SPPA staff by Head of Security. 4. SPPA Head of Security is currently	Training in information governance for appropriate staff is of vital importance when implementing an authority's Records Management Plan. The Assessment Team is pleased to acknowledge that SPPA are pursuing this in a structured and recorded way. This is to be commended. They particularly note the improvements noted here regarding the culture of information security (see element 8). The Assessment Team note the additional qualifications and training opportunities accessed by the key information governance officer in SPPA.	**Update** 1. **In addition to the previous update, the SPPA culture of information security has been further enhanced by the introduction of the Scottish Government Learning Portal that holds additional training modules on phishing email risks and password security. SPPA engage with 'Cyber Scotland Week' in order to promote security awareness and recently staff, as users of SCOTS, have currently being subjected to simulated phishing email tests. The results will be shared with SPPA at a later date. This test will help measure the effectiveness of phishing email awareness within the organisation.** 2. **As part of my personal development I will shortly be concluding an Information Security Diploma (SCQF Level 8). My DP Practitioner certification remains up to date.**	The Team thanks the authority for the update. We welcome news that SPPA are supporting staff through training modules and exercises and the Team congratulate the Data Protection and Information Governance Manager on their qualifications. SPPA clearly remain committed to engaging with and training staff which will bolster awareness of good records management and information security across the organisation.

					considering undertaking the process for IRMS Accreditation as part of his continued development. Any recommendations from The Keeper's Office in respect to appropriate records management training would be welcomed.		
13. Assessment and Review	G	G	G	SPPA are committed to reviewing their RMP annually and that other related documents and policies are assessed as part of the Information Assurance schedule. The Keeper commends this approach and welcomes the creation of an Action Plan which reflects the commitments made in SPPA's plan. The Keeper would be interested in learning about the outcome of these reviews and wishes to be informed of any changes to policies following these reviews.	1. SPPA continues its commitment to review the Records Management Plan on an annual basis. (SPPA CEO is now Penelope Cooper in post from July 2017). 2. The results of the review are reported to the Audit and Risk Committee. The key tasks relating to the Head of Security role are captured within the an annual Business Plan.	The Act requires that an authority keeps its Records Management Plan under review. The Scottish Public Pensions Agency has a robust review mechanism in place and the Assessment Team acknowledge the receipt of the authority's Compliance Review, Information Risk Management Review, Leadership and Governance Review, Mandatory Requirements Review, Training Education and Awareness Review, and Through-Life Information Asset Measures Review. This provides the Assessment Team with the evidence they need to fully agree that SPPA are pursuing this element of their Records Management Plan appropriately. The SPPA have also shared their 'Head of Security Work plan'. This document shows actions, undertaken and planned, relating to Information assurance (including the PRSA); Cyber and Physical Security; Business Continuity and Data Protection.	**Update** **These mechanisms remain in place and under review. These can be shared if required.**	As the PURs are a voluntary process, unlike statutory RMP submission, evidence, while appreciated by the Assessment Team, is not required. The Team thank SPPA for the update and are pleased to hear that the authority continue to maintain compliance with Element 13 through their robust assessment and review mechanisms which remain in place. Update required on any future change.

						Actions have target dates. This is valuable evidence of progress in the authority and the Assessment Team thanks SPPA for sharing it.		
14. Shared Information	G	G	G	Update required on any change	1. SPPA have circa 1,200 Employing authorities through which we have established data sharing agreements. This number fluctuates, so it remains a task to ensure agreements are established as a matter of routine

2. Information Assets are registered using the Scottish Government's Information Asset Register. These assets are assigned to Information Asset Owners within the organisation and are reviewed annually.

3. SPPA are undertaking steps to be included within the list of public bodies under the Digital Economy Act 2017 for schedules 7 and 8 (fraud and debt) that would enable greater data sharing between UK wide and devolved public bodies. | The Assessment Team thanks SPPA for this update which they have noted. | **Nothing to update** | Noted with thanks, update required on any future change. |

7. The Public Records (Scotland) Act Assessment Team's Summary

<u>Version</u>

The progress update submission which has been assessed is the one received by the Assessment Team on 30th November 2021. The progress update was submitted by Jonathan Sharp, Data Protection and Information Governance Manager.

The progress update submission makes it clear that it is a submission for the Scottish Public Pensions Agency.

The Assessment Team has reviewed the Scottish Public Pensions Agency's Progress Update submission and agrees that the proper record management arrangements outlined by the various elements in the authority's plan continue to be properly considered. The Assessment Team commends this authority's efforts to keep its Records Management Plan under review.

<u>General Comments</u>

The Scottish Public Pensions Agency continues to take its records management obligations seriously and is working to bring all elements into full compliance.

Section 5(2) of the Public Records (Scotland) Act 2011 provides the Keeper of the Records of Scotland (the Keeper) with authority to revisit an agreed plan only after five years has elapsed since the date of agreement. Section 5(6) allows authorities to revise their agreed plan at any time and resubmit this for the Keeper's agreement. The Act does not require authorities to provide regular updates against progress. The Keeper, however, encourages such updates.
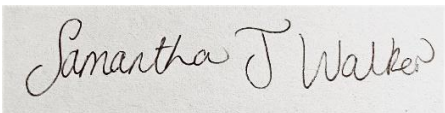
The Keeper cannot change the status of elements formally agreed under a voluntary submission, but he can use such submissions to indicate how he might now regard this status should the authority choose to resubmit its plan under section (5)(6) of the Act.

8. The Public Records (Scotland) Act Assessment Team's Evaluation

Based on the progress update assessment the Assessment Team considers that the Scottish Public Pensions Agency continue to take their statutory obligations seriously and are working hard to bring all the elements of their records management arrangements into full compliance with the Act and fulfil the Keeper's expectations.

The Assessment Team recommends authorities consider publishing PUR assessment reports on their websites as an example of continued good practice both within individual authorities and across the sector.

This report follows the Public Records (Scotland) Act Assessment Team's review carried out by

Samantha Walker
Public Records Support Officer