

**The Public Records (Scotland) Act 2011**

**Scottish Prison Service**

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

**3rd May 2019**

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## 1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal Assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

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

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

## 2. Progress Update Review (PUR) Mechanism

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

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

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

### 3. Executive Summary

This Final 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 Prison Service. The outcome of the assessment and relevant feedback can be found under sections 6 – 8.

### 4. Authority Background

The Scottish Prison Service (SPS) is an Agency of the Scottish Government and was established in 1993. The purpose of the Service is to maintain secure custody and good order within prisons, whilst caring for prisoners with humanity and delivering opportunities which give the best chance to reduce reoffending once a prisoner returns to the community. SPS has 13 publicly managed prisons and 2 privately managed prisons. These prisons are managed by the Chief Executive who chairs an internal board which comprises Non-Executive Directors appointed by Scottish Ministers and Executive Directors. The Executive Board supports the Chief Executive in providing leadership, direction and control.

<http://www.sps.gov.uk/home/home.aspx>

N.B. The Scottish Prison Service appears on the schedule to the Public Records (Scotland) Act 2011 under the umbrella body 'Scottish Ministers'. However, SPS have chosen to submit their records management plan separately and the Keeper is entitled to consider and agree the plan in isolation from the rest of Scottish Ministers.

### 5. Assessment Process

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

The assessment report considers statements made by an authority under the elements of its agreed Plan that included improvement models. It reflects any changes and/or progress made towards achieving full compliance in those areas where agreement under

improvement was made in the Keeper's Assessment Report of their RMP. The PUR assessment report also considers statements of further progress made in elements already compliant under the Act.

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

**Key:**

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

Element	Status of elements under agreed Plan, September 2014	Status of evidence under agreed Plan, September 2014	Progress assessment status, 2017	Progress assessment status 2019	Keeper's Report Comments on Authority's Plan, September 2014	Progress Review Comment, 2017	Self-assessment Update as submitted by the Authority since 2017	Progress Review Comment, 2019
1. Senior Officer	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	The Scottish Prison Service has identified Jim Kerr, Director of Operations, as the individual with senior responsibility for records management within the authority and as the corporate owner of the Records Management Plan.	No change. Jim Kerr, Director of Operations is still the individual with senior responsibility for records management within the authority.	No immediate action required. Update required on any future change
2. Records Manager	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	No immediate action required. Update required on any future change.	Mary Rooney, SPS Records Manager has day-to-day operational responsibility for records management within the SPS and for the implementation of the RMP.	The role holder has changed since the last PUR in 2017. The responsibilities of the post are appropriate to the authority's needs, as evidenced by the Records Manager Performance Plan

							<p>The Records Manager owns the actions relating to records management on the SPS Information Governance Action Plan.</p> <ul style="list-style-type: none"> <li>• UE01 Records Manager Performance Plan 2018/19</li> </ul>	<p>which has been supplied to the Assessment Team.</p> <p>The Keeper thanks the SPS for updating the information about this statutory role.</p>
3. Policy	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	No immediate action required. Update required on any future change.	<p>The policy statement has been reviewed and forms part of a new Records Management Policy. This has been approved by the Executive Management Group.</p> <ul style="list-style-type: none"> <li>• UE02 Records Management Policy</li> </ul>	<p>The new Records Management Policy is noted with thanks. It is positive to see that this is reviewed at least every two years and that the current version has incorporated the requirements of the Data Protection Act 2018.</p>
4. Business Classification	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	SPS have a draft Business Classification Scheme arranged by functionality. The Keeper requests updates on the project to	The authority provided evidence that SharePoint 2013 is being developed and amended to correspond with the key functions	<p>The SPS is undertaking a full-scale review of its Business Classification.</p> <p>An Information Audit is being carried out by</p>	<p>Two examples of Information Asset Registers (IARs) have been supplied. These show the use of the retention schedules and the Business Classification Scheme</p>

					<p>roll out the BCS across all SPS sites.</p> <p>The Keeper agrees this element of SPS's RMP on 'improvement model' terms. This means that he is convinced of the authority's commitment to implement the business classification scheme fully over time, but would request that he is updated as this project progresses.</p>	<p>outlined in the Classification Scheme. Additional evidence showed that the classification of activities within one area (Policy) informs the structure and referencing of records within the document management system.</p> <p>As the BCS has not yet been fully implemented to cover all the functions of the authority, the Assessment Team requested further updates as work under this element progresses. They would particularly welcome sight of the final, authorised BCS once it becomes available.</p>	<p>Records Officers and the results recorded in Information Asset Registers. The Asset Registers will be used to record accountability for information and inform the review of retention schedules.</p> <ul style="list-style-type: none"> <li>• UE03 IAR – people in custody</li> <li>• UE04 IAR – Staff</li> </ul> <p>The Business Classification will be updated in line with the result of the information audit.</p>	<p>along with other elements to create effective and comprehensive IARs. These examples have excellent user-friendly headings for each element of the registers which must have helped the Records Officers to explain what was required to colleagues who create and use the information. The level of detail indicates that this has taken considerable resources and commitment to develop this valuable work.</p> <p>The Assessment Team welcome these developments and look forward to further updates as this work leads to a full BCS. This element remains at Amber but there is definite progress towards Green.</p>
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5. Retention Schedule	A	A	A	A	<p>The Retention Schedule has not been fully developed across all functions of the business but it is clear that SPS are committed to closing the identified gap in provision.</p> <p>The Keeper agrees this element of SPS's RMP on 'improvement model' terms. This means that he is convinced of the authority's commitment to implement the retention schedule fully over time, but would request that he is updated as this project progresses.</p>	<p>Extensive work is being undertaken by SPS to bring their records management arrangements into full compliance under this element. Evidence relating to Paper Prisoner Records Retention and the destruction of legacy paper prisoner records was supplied along with evidence of HR retention schedules and schedules for electronic prisoner records. The Assessment Team requested further updates concerning the full implementation and operation of this system.</p>	<p>Prisoner paper records are being disposed of in line with the current retention schedules.</p> <ul style="list-style-type: none"> <li>• UE05 Prisoner Records Destroyed Jan 2016 – Oct 2018</li> </ul> <p>The SPS information audit is informing the review of the retention schedules for business areas.</p> <ul style="list-style-type: none"> <li>• UE06 Human Resource Retention Schedule (Draft)</li> <li>• UE07 Prisoner Records Retention Schedule (Draft)</li> </ul> <p>The SPS is carrying out an upgrade to its Outlook Exchange. It is applying data protection principles at the design phase of the upgrade by setting a standard retention</p>	<p>The draft retention schedules provided with this PUR demonstrate the good work that has been done on records relating to people. It is particularly interesting to see the clear and helpful explanations given in the preamble to the Prisoner Records Retention draft. This should help staff understand why records are retained for specific periods and therefore encourage compliance.</p> <p>Understandably, SPS have prioritised records covered by data protection principles and are developing systems to make compliance easier for all staff. This is a practical and sensible way forward. There are risks in setting a standard retention period for emails if this is not also accompanied by a means of identifying and storing emails</p>
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							period to ensure that emails containing personal data are not kept for longer than is needed. An Email and Outlook Exchange Management Policy will be submitted to the Executive Management Group for approval.	which have longer retention periods and the Assessment Team would be interested to see the approved policy in the next PUR.  The evidence of the destruction of legacy prisoner paper records is noted with thanks.  This Element remains at Amber but there is evidence of steady progress towards developing retention schedules for all records.
6. Destruction Arrangements	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	SPS use Mitie Waste & Environmental Services for the confidential on-site destruction of paper records.	No change. Mitie Waste & Environmental Services provide confidential on-site destruction of paper records.	This update is noted with thanks.
7. Archiving and Transfer	<b>A</b>	<b>A</b>	<b>G</b>	<b>G</b>	There are currently informal arrangements in place to permanently deposit records with the National	The SPS NRS Memorandum of Understanding was supplied along with a list of files transferred to NRS under this MoU.	SPS Records Manager is working with NRS to transfer the last of the historical paper registers from HMP Barlinnie and	This update is noted with thanks. The NRS Client Management Team have confirmed that this process is working well for records held centrally and for

					<p>Records of Scotland (NRS), although this appears to exist on a prison by prison basis. The Keeper would welcome the creation of more comprehensive policy documents such as a formal Memorandum of Understanding (MoU) with the NRS which applies to all sites.</p> <p>Even though the current arrangement is quite informal, the Keeper is willing to agree this element of the SPS plan on the understanding that steps will be taken to formalise these procedures with his client managers.</p>		<p>HMP Dumfries to NRS.</p> <ul style="list-style-type: none"> <li>• UE08 Records identified to be transferred to NRS</li> </ul> <p>SPS and NRS have commenced discussions about the transfer of electronic information from the Prisoner Records Database.</p> <p>An Archive Policy that sets out in detail how the SPS will achieve the arrangements agreed in the NRS Memorandum of Understanding will be submitted to the Executive Management Group for approval.</p>	<p>those records which have been identified in individual establishments. The Assessment Team would welcome sight of the Archive Policy once approved and would encourage continuing progress in ensuring all establishments are aware of the new Archive Policy.</p> <p>It is very encouraging to hear that discussions are underway to consider how digital records of enduring value will be transferred to NRS. This is a complex area and the processes to ensure the integrity and reliability of the transferred records will need careful planning but it is the way forward for future archives.</p>
8. Information Security	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	No immediate action required. Update required on any future change.	SPS has issued a revised Information Security Policy to all staff and this is	This update along with provision of the latest set of policies and training are noted with thanks. It is positive to

							<p>available on the SPS SharePoint site.</p> <p>An Information Security Breaches Policy defines the level of risk associated with different types of breaches.</p> <ul style="list-style-type: none"> <li>• UE09 Information Security Policy</li> <li>• UE10 Assessing Personal Data Breaches Policy</li> </ul> <p>SPS protects itself from online threats by following the processes and measures recommended by the Scottish Government Cyber Resilience Team in the shape of Cyber Essential Plus.</p> <p>SPS has an ongoing commitment to training staff and raising awareness of information security throughout the organisation.</p>	<p>see that third party contractors who undertake functions on behalf of SPS are explicitly covered by the Information Security Policy. This avoids any doubt about their obligations and responsibilities in this area.</p> <p>SPS has rolled out training to a large number of staff which shows that this element is taken seriously and that there is an on-going commitment to maintaining and improving staff awareness.</p> <p>Cyber Essential Plus is an appropriate method of ensuring a reasonable level of protection from cyber threats.</p>
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							<ul style="list-style-type: none"> <li>• UE11 Information Management Awareness Training</li> </ul>	
9. Data Protection	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	<p>SPS designed and implemented new policies and procedures in advance of the Data Protection Act 2018.</p> <p>The Assessment Team would be interested to have sight of these new policies, once operational, in future PUR submissions.</p>	<p>SPS has issued new Data Protection policies and procedures in line with the requirements of the General Data Protection Regulation and Data Protection Act 2018.</p> <ul style="list-style-type: none"> <li>• UE12 Information Governance Policy</li> <li>• UE13 Protecting the Personal Data of Individuals held in custody</li> <li>• UE14 Protecting the Personal Data of Staff Members and Others</li> <li>• UE15 Data Protection Impact Assessment Guidance</li> </ul>	<p>The set of policies and procedures supplied are noted with thanks.</p> <p>The Information Governance Policy is a particularly helpful document which identifies clearly the legislation and policy underpinning these activities, what the requirements are for each role and who takes responsibility for these roles within SPS. It is encouraging to see the range of guidance that has been developed to support staff as they implement compliance with the new Data Protection requirements.</p> <p>The network of local information officers is extensive and the</p>

							<ul style="list-style-type: none"> <li>• UE16 Privacy Notices</li> </ul> <p>SPS has introduced an information governance structure across the organisation. A network of 29 Information Asset Owners and over 300 local information officers has been established in order to improve information management and provide assurance to the SPS Senior Information Risk Owner and the Chief Executive that information is being managed properly.</p> <ul style="list-style-type: none"> <li>• UE17 Governance Structure</li> <li>• UE18 Information Role Descriptors</li> </ul>	Assessment Team would be interested to hear how this develops as these roles become embedded in day-to-day practices within each establishment.
10. Business Continuity and Vital Records	A	A	A	A	Although SPS have comprehensive plans for the recovery of	Although the lack of continuity plans and procedures surrounding paper records identified in	The Information Audit being carried out by Records Officers across the organisation will be	It is always encouraging to see developments that contribute to compliance with more than one Element in the

					<p>electronic information following a 'disaster', the continuity plans for paper records have not yet been fully developed. The Keeper recognises that SPS have identified this gap in their arrangements and that SPS are committed in their <i>Action Plan</i> to addressing this issue.</p> <p>The Keeper agrees this element of the SPS plan on 'improvement model' terms. This means that he is convinced of the service's commitment to implement the continuity plan fully over time, but would request that he is updated as</p>	<p>the Keeper's Assessment Report remain, the planned recruitment of a dedicated Records Manager and local record officers indicates the authority's commitment to closing this gap in provisions.</p> <p>As these staff will be tasked with developing Business Continuity Plans for paper records, the Assessment Team would like to be informed when these posts have been filled. The Assessment Team would also like sight of the policies they design and implement in future PUR submissions.</p> <p>The Assessment Team consider that progress is being made and that this</p>	<p>used to identify the organisation's vital paper based records and Business Continuity Plans will be developed for those records.</p> <p>The majority of SPS vital records are held electronically. SPS has IT Disaster Recovery Plans in place for each of the key IT records systems and for pay and pensions. All records and data held on the SPS IT network are subject to regular back up and associated recovery procedures.</p> <p>SPS is committed to the Scottish Government Cyber Resilience Strategy and has carried out cyber resilience tabletop exercises to test SPS ability to respond effectively, and recover from, a</p>	<p>RMP. The Information Asset Registers (see Element 4) include a heading "Can we function without it?" which is a good way of starting to identify which records are Vital and therefore need to be covered by a recovery plan. As a next step, the Assessment Team would encourage the SPS to develop site specific disaster recovery plans for their critical paper records, including paper restoration services where applicable.</p> <p>The immediate recovery of digital records appears to be appropriately catered for along with the provision detailed in Element 8 for information security.</p> <p>This Element remains at Amber until continuity and recovery plans are in place for paper records but there is</p>
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					this project progresses.	element should remain under improvement.	range of cyber security incidents.	steady progress taking place.
11. Audit Trail	G	G	G	G	Update required on any change	<p>The upgrade to SharePoint 2013 in February 2016 reflects the authority's efforts to enhance their records management provisions. This upgrade should improve the authority's audit trail capabilities regarding the location, editing, and movement of records. The Assessment Team commends this initiative.</p> <p>The Team also welcome the planned recruitment of a dedicated Records Manager and local records officers who will be expected to undertake reviews of audit trail</p>	<p>The SPS Records Manager is training a network of Records Officers who are responsible for records management in their business area. The training covers the requirement for audit trails.</p> <ul style="list-style-type: none"> <li>• UE19 Information Management Training Workshops</li> </ul> <p>The inventory of records maintained by SPS Registry (Policy Files, Casework Records) has been restructured to allow more efficient maintenance and audit.</p>	<p>This update is noted with thanks. It is commendable that the SPS has supported the training of so many staff in this new role of local Records Officer, including an understanding of the need for records to be tracked and an audit trail maintained.</p>

						<p>functionality within the authority. The Team would like to be kept informed of developments in this area and would welcome updates regarding any future reviews carried out.</p>		
12. Competency Framework	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	<p>SPS are developing records management competencies which the Keeper considers to be appropriate to the role of implementing the RMP. He requires an updated version when these competencies are approved.</p>	<p>The authority has committed to recruit a dedicated Records Manager with responsibility for records management throughout SPS.</p> <p>The Assessment Team likewise commend the initiative to create a structure of local record officers across the authority's business areas.</p> <p>The importance of creating record management competencies for staff, which the Keeper highlighted</p>	<p>SPS has recruited a dedicated Records Manager and has created a structure of local records officers.</p> <ul style="list-style-type: none"> <li>• UE17 Governance Structure</li> </ul> <p>SPS has developed a competency framework for the Records Manager and the local records officers.</p> <ul style="list-style-type: none"> <li>• UE20 Competency Framework</li> </ul> <p>Each Record Officer is required to meet a standard defined in their performance appraisal.</p>	<p>The Assessment Team welcome the appointment of a dedicated Records Manager since the last PUR. The SPS is to be commended for this. The creation of a structure of designated local records officers is a good, practical solution to the geographic spread of the SPS.</p> <p>There are a number of challenges for the Records Manager as evidenced by the progress and plans noted in other Elements in this PUR and the Assessment Team would encourage the SPS to continue to</p>

						<p>in his Report, has not yet taken place. Instead they will be developed to complement the recruitment of the Records Manager and local record officers. As such the Assessment Team request that they are updated of progress in this area in future reviews.</p>	<ul style="list-style-type: none"> <li>• UE21 Performance Management Outputs for Record Officers</li> </ul>	<p>support the professional development of the Records Manager.</p> <p>The development of the competency framework is welcome and it is positive to see that this is supported by the role descriptors in the Information Governance Policy which identify the responsibilities of each role in the structure.</p>
13. Assessment and Review	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	<p>The SPS Records Management Plan and Records Management Policy will be reviewed in January 2015 and January 2016 and every two years thereafter. The Keeper commends this commitment to review the key policies and would welcome updates on these internal assessments, especially if they have led to significant</p>	<p>The submission of UE011 'SPS Records Management Maturity Model' shows that SPS continue to comply with the requirements of this element.</p> <p>The Maturity Model provides evidence of the progress being made, for example the defining of business rules for the capture and managing of prisoner records, as</p>	<p>The Information Governance Forum meets 6 weekly and is chaired by the SIRO. The Records Manager sits on the forum to give a focus on the Records Management Plan.</p> <p>The Records Manager will be responsible for leading the review of current policies and procedures (for example the Prisoner Records Retention Schedule) and identifying where new policies and</p>	<p>The submission of this PUR is very welcome and evidences that the SPS take seriously this statutory requirement. It is encouraging to hear that the PUR is helpful in enabling and supporting this process.</p> <p>SPS have an appropriate structure which ensures that their RMP is kept under review and that areas for improvement are identified readily and regularly reviewed and updated.</p>

					<p>changes in arrangements.</p> <p>well as identifies areas requiring work, such as the need for prioritising records management through extra resources and staffing. It is hoped that such honest reviews will influence future decisions taken by the authority to enhance their records management arrangements.</p> <p>Should future reviews lead to significant changes in policy and practice, or to the revision of the RMP itself, the Assessment Team would welcome updates through the PUR process.</p>	<p>procedures are required (for example the Health &amp; Safety Retention Schedule).</p> <p>The SPS has welcomed the opportunity to submit Progress Update Reviews of its Records Management Plan to the NRS in consecutive years.</p>		
14. Shared Information	<b>G</b>	<b>G</b>	<b>G</b>	<b>G</b>	Update required on any change	No immediate action required. Update required on any future change.	In line with the requirements of the General Data Protection Regulation	Two records of personal data processing activities have been supplied to the

						<p>and the Data Protection Act 2018 the SPS has produced records of processing activities where information is shared.</p> <ul style="list-style-type: none"> <li>• UE22 Record of Processing Activities – individuals held in custody</li> <li>• UE23 Record of Processing Activities – Staff Members</li> </ul> <p>A standard Information Sharing Agreement template has been developed for Third Sector partners working with people in our care.</p> <ul style="list-style-type: none"> <li>• UE24 Third Sector Partner Information Sharing Agreement</li> </ul> <p>Information Sharing Agreements continue to be put in place</p>	<p>Assessment Team. These show the legal basis for processing under GDPR and the Data Protection Act 2018 and, when the data is shared, the legal basis for sharing the information and who it is shared with.</p> <p>The Information Sharing Agreement template supplied to the Assessment Team shows that records and information governance is embedded in the sharing agreements and the SPS is making appropriate arrangements for the management and disposal of records created as a result of these agreements. On a case by case basis, SPS may also want to consider this for records containing confidential information other than personal data and varying the retention periods specified, when appropriate.</p>
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							<p>where personal data is shared and used by external agencies.</p> <p>The Information Security Policy contains a section on the sending and sharing of information.</p> <ul style="list-style-type: none"> <li>• UE09 Information Security Policy</li> </ul>	
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Version

The progress update submission which has been assessed is the one received by the Assessment Team on 14 December 2018. The author of the progress update submission is Mary Rooney, Records Manager.

The progress update submission makes it clear that it is a submission for **the Scottish Prison Service**.

7. PRSA Assessment Team’s Summary

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

General Comments

The Scottish Prison Service clearly continues to take its records management obligations seriously and is working to bring all elements into full compliance. There has been considerable work undertaken and it is positive to see the results of this in the good progress being made.

Understandably, the priorities this year have focused on new requirements under GDPR and the Data Protection Act 2018. Sensibly, the SPS have used this work to address further developments under their Records Management Plan. They have implemented their earlier commitment to developing a structure of Records Officers who deal with records management at a local operational level. These staff have contributed to the Information Audit and this has allowed the SPS to create reasonably comprehensive Information Asset Registers. These Registers helpfully include retention schedules and are structured to reflect the Business Classification Scheme: the SPS therefore knows what information it creates and manages and has a tool which all staff can use and refer to.

Amongst the supporting evidence provided by SPS are a number of policies and procedures which contain very clear and well-researched explanations to staff of the reasons for the policies and procedures. This is often accompanied by straightforward statements on the background to relevant legislation and which legislation applies in different circumstances. All of this is helpful guidance material for staff and the SPS is to be commended for its clarity. The Assessment Team would welcome some of these documents being shared with other public authorities as they could potentially be adapted for use elsewhere.

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 and this Progress Update Review is therefore a helpful submission.

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. At present, the Assessment Team would expect that the RAG status would be unchanged in each Element but there is good, steady progress towards Green status evident in Elements 4, 5 and 10 which are currently assessed at Amber.

Where 'no change' has been recorded under the update on provision by the authority, the Assessment Team is happy to agree that these elements require no further action for the time being.

## 8. PRSA Assessment Team's Evaluation

Based on the progress update assessment the Assessment Team considers that the **Scottish Prison Service** 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,



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**Pete Wadley**  
Public Records Officer