

**Public Records (Scotland) Act 2011**

**Children's Hearings Scotland and the National Convener of Children's Hearings Scotland  
Assessment Report**

**The Keeper of the Records of Scotland**

**22nd July 2015**

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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 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 **Children's Hearings Scotland and the National Convener of Children's Hearings Scotland** by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on **31<sup>st</sup> March 2015**.

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

The outcome of the assessment and the Keeper's decision on whether the RMP of Children's Hearings Scotland and the National Convener of Children's Hearings Scotland complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

Children's Hearings Scotland (CHS) and the National Convener of Children's Hearings Scotland are scheduled separately by the Public Records (Scotland) Act 2011.

They were established in July 2011 by the Children's Hearings (Scotland) Act 2011 and became fully operational on 24 June 2013. The Children's Hearings (Scotland) Act 2011 aims to improve the lives, outcomes and opportunities of Scotland's most vulnerable children and young people.

In relation to CHS, the Act:

- created the role of National Convener, to act as a figurehead for Scotland's 2,700 volunteer panel members, to ensure they are consistently supported to a high standard
- created CHS as a dedicated national body, to support the National Convener in the delivery of functions related to the recruitment, selection, appointment, training, retention and support of panel members

- empowered the National Convener to establish a national Children’s Panel
- empowered the National Convener to establish Area Support Teams, with the consent of each local authority, to be responsible for managing and supporting the national panel at local level.

<http://www.chscotland.gov.uk/>

## 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 Children’s Hearings Scotland and the National Convener of Children’s Hearings 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:

<b>G</b>	The Keeper agrees this element of an authority’s plan.		<b>A</b>	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.		<b>R</b>	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.
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## 5. Model Plan Elements: Checklist

### Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland

(For simplicity, referred to as ‘CHS’ below)

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>In their initial submission CHS identified Joe Campbell, Interim Director of Finance and Corporate Services and Senior Information Risk Owner (SIRO), as the individual with overall responsibility for records management in the two authorities.</p> <p>This is confirmed by a <i>Supporting Statement</i> from Boyd McAdam the National Convener (and CEO of CHS) dated 31<sup>st</sup> March 2015, by the <i>Information Governance Strategy (see General Comments below)</i> and by the supplied <i>Records Management Policy (see element 3)</i>.</p> <p>Responsibility for effective information management throughout the organisation is an objective in Mr Campbell’s job description which has been provided. He is responsible for the information governance <i>Policy Framework</i> which has been provided to the Keeper.</p> <p>Mr Campbell sits on the ARMC (<b>see under General Comments below</b>) where he speaks to issues of Information Governance.</p> <p>Mr Campbell is the ‘project sponsor’ for the RMP.</p> <p>During the assessment process, the Keeper received the following statement from CHS:</p>

			<p><i>“ Joe Campbell, Interim Director of Finance and Corporate Services and Senior Information Risk Owner left CHS on 30 June 2015.</i></p> <p><i>Following a public competition, Boyd McAdam, Chief Executive and National Convener of Children’s Hearings Scotland (CHS) announced on 11 June 2015 that Elliot Jackson is to be appointed to the new post of Depute Chief Executive at CHS.</i></p> <p><i>This new role will work with and support the Chief Executive/National Convener and the CHS Board in developing and implementing the Corporate and Business Plans, governance arrangements, financial strategy and workforce and volunteer planning.</i></p> <p><i>When Elliot takes up post in August 2015 he will also be responsible for information governance, including the role of SIRO, and will sit on the ARMC. The Information Governance Officer will report directly to the Depute Chief Executive.</i></p> <p><i>A copy of the Depute Chief Executive’s Job Description is attached and the Records Management Plan will be updated accordingly.”</i></p> <p><b>The Keeper accepts this amendment and expects this element to be updated once Mr Jackson is in post.</b></p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have identified an appropriate individual to this role as required by the Act.</p>
<p>2. Records Manager <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>CHS has identified Ava Wieclawska, Information Governance Officer, as the individual with day-to-day responsibility for implementing the authorities’ records management plan.</p>

			<p>This is confirmed by a <i>Supporting Statement</i> from Boyd McAdam the National Convener (and CEO of CHS) dated 31<sup>st</sup> March 2015 and by the <i>Records Management Competency Framework</i> (<b>see element 12</b>).</p> <p>Ms Wieclawska is the 'Project Manager' for the RMP.</p> <p>"CHS' Information Governance Officer is responsible for ensuring that RM practices and procedures are established in line with all legal obligations and professional standards." (<i>Records Management Policy</i> 5.4). The Policy also includes a mechanism to inform the ARMC (<b>see under General Comments below</b>), and Senior Management, of compliance (section 7).</p> <p>Ava Wieclawska is the author of the <i>Information Governance Strategy</i> (<b>see General Comments at end</b>), the <i>Information Security Policy</i> (<b>see element 8</b>), the <i>Vital Records Strategy</i> (<b>see element 10</b>), the <i>Records Management Competency Framework</i> (<b>see element 12</b>), the <i>Data Protection Policy</i> (<b>see element 9</b>) and the <i>Records Management Policy</i> (<b>see element 3</b>).</p> <p>The Information Governance Officer is responsible for devising training content which is then delivered by the CHS Training Unit (<i>Information Governance Strategy</i> section on e-learning).</p> <p>The above shows that Ms Wieclawska has a detailed knowledge of the records management provision in CHS.</p> <p>She has a responsibility to report to the SIRO (<b>see element 1</b>) on information risk.</p> <p>CHS has also recruited a permanent Information Governance Assistant (Callum Morrison) who will support the Information Governance Officer in compliance with the PRSA and day-to-day responsibility for implementing the RMP. Callum started</p>
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			<p>with CHS on 01 June 2015.</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have identified an appropriate individual to this role as required by the Act.</p>
<p>3. Policy <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>CHS have submitted a <i>Records Management Policy</i> to the Keeper. It is version 3.0 approved 31<sup>st</sup> March 2015. The <i>Policy</i> is published on the CHS website at <a href="http://www.chscotland.gov.uk/media/54481/chs-records-management-policy-v30.pdf">http://www.chscotland.gov.uk/media/54481/chs-records-management-policy-v30.pdf</a></p> <p>It is recognised as one of the ‘overarching, core IG policies’ in the <i>Governance Policy Framework</i>. In this <i>Framework</i>, the <i>Records Management Policy</i> is described ‘as a mandate for the support and delivery of recordkeeping policies and procedures across the organisation’.</p> <p>The <i>Policy</i> recognises records as an asset. There is a good explanation of the benefits of robust records management at section 3.3.</p> <p>The <i>Policy</i> mentions PRSA (at 4.1) “CHS is committed to maintaining authentic, reliable and useable records, which are capable of supporting our functions and activities and meeting our statutory obligations under the 20011 Act.”</p> <p>The <i>Policy</i> has section on training (section 6) <b>(see element 12)</b>.</p> <p>The <i>Policy</i> supports the CHS <i>Information Governance Strategy</i> and fits the CHS <i>Policy Framework</i>.</p> <p>The <i>Strategy</i> and the <i>Policy Framework</i> are published on the CHS website at <a href="http://www.chscotland.gov.uk/media/87883/Information-Governance-Strategy-v10.pdf">http://www.chscotland.gov.uk/media/87883/Information-Governance-Strategy-v10.pdf</a></p>

			<p>And  <a href="http://www.chscotland.gov.uk/media/87877/Information-Governance-Policy-Framework-v10.pdf">http://www.chscotland.gov.uk/media/87877/Information-Governance-Policy-Framework-v10.pdf</a></p> <p>The <i>Records Management Policy</i> is reviewed every two years.</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have an approved and operational records management policy statement as required by the Act.</p>
<p>4. Business Classification</p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>CHS have a <i>Business Classification Scheme</i> which has been submitted to the Keeper. This has been supplied to the Keeper as part of the supplementary evidence package that makes up part of the plan.</p> <p>However, CHS makes it clear, in their explanation for this element, that the <i>Business Classification Scheme</i> has not yet been fully rolled out throughout the organisation. A ‘portal’ is in development which will allow this over the next few years. The commitment to do this is confirmed by the <i>Supporting Statement</i> from the National Convener that accompanied the plan.</p> <p>The corporate records of CHS is principally electronic, but staff guidance mentions paper and it also seems implied that the panel members work with paper working copies (<b>see Paper Records under General Comments below</b>).</p> <p>The implementation of the <i>Business Classification Scheme</i> is specifically mentioned in the <i>Records Management Policy</i> (<b>see element 3</b>).</p> <p><b>The Keeper agrees this element of Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland’s records management plan on ‘Improvement Model’ terms. This means that he acknowledges that</b></p>

			<p>the authority recognises a gap in provision (the <i>Business Classification Scheme</i> is not fully adopted) and have put projects in place to close that gap. The Keeper requires to be kept up-to-date on the progress of these projects.</p>
5. Retention schedule	<b>G</b>	<b>G</b>	<p>CHS have a <i>Retention and Disposal Schedule</i> which has been shared with the Keeper and which appears on their website at <a href="http://www.chscotland.gov.uk/media/73729/chs-retention-and-disposal-schedule-v30.pdf">http://www.chscotland.gov.uk/media/73729/chs-retention-and-disposal-schedule-v30.pdf</a></p> <p>This schedule operates automatically within CHIRP (<b>see under General Comments below</b>) and manually in the shared drives.</p> <p>The implementation of the <i>Retention Schedule</i> is specifically mentioned in the Records Management Policy (<b>see element 3</b>).</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have an operational retention schedule.</p>
6. Destruction Arrangements <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>Paper: Paper records and other hard copy confidential waste are destroyed under contract and a certificate of destruction has been provided in evidence that this arrangement is in place.</p> <p>Electronic and Back-Ups: CHS issue a suite of staff guidance on the destruction that includes electronic records. For example: <i>Retention and Disposal – Guidelines for Clerks (for roles in CHS see Staff under General Comments below)</i>. These mostly refer back to the <i>Retention and Disposal Schedule (see element 5)</i>. This document states under Secure Destruction: “For records held electronically, information should be deleted from systems in a way that makes recovery impossible”.</p>

			<p>The majority of the National Convener and CHS' electronic records are retained on the Scottish Government's SCOTS system. Scottish Government's Information Services and Information Systems department has confirmed that as soon as a record is deleted by staff from the H or G drive there will be a Volume Shadow copy (VSS) available for up to 2 weeks until it is written over and deleted entirely from systems.</p> <p>Local authorities hold some records on behalf of the National Convener and CHS on local authority systems. The records will be subject to the local authority's policy on backup and deletion but these policies must adhere to the Data Processing Contracts in place with CHS. These contracts state that the records must be irretrievably destroyed once the local authority's business continuity/backup period has expired.</p> <p>For records held within our online portal, backups are performed every 12 hours. Records that are deleted from the portal are sent to the user's recycle bin. Users are advised in policies and procedures to empty their recycle bin on a regular basis. When a user empties their recycle bin, the contents are moved to a second stage recycle bin which is accessible to site administrators only. Content will be retained for a maximum period of 93 days (within the first and/or second stage recycle bin) before it is permanently deleted.</p> <p>Hardware: CHS has arrangements in place with Scottish Government for the destruction of hardware. As CHS is a relatively new organisation they have not yet destroyed any hardware. Evidence of hardware destruction will be provided to the Keeper as soon as it becomes available and the Asset Register will be updated accordingly. A sample page of the Asset Register was attached.</p> <p>Staff guidance on destruction is specifically mentioned in the Records Management Policy (<b>see element 3</b>).</p>
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			The Keeper can agree that CHS has processes in place to irretrievably destroy records when appropriate and that staff know how to initiate these processes.
7. Archiving and Transfer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>CHS transfer records to the National Records of Scotland for permanent preservation. This is confirmed by the Keeper’s client managers.</p> <p>Archiving arrangements are specifically mentioned in the <i>Records Management Policy</i> (see element 3).</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have appropriate arrangements in place for the permanent preservation of records as required by the Act.</p>
8. Information Security <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>CHS have supplied the Keeper with their <i>Information Security Policy</i>. This is version 3.0 dated 31<sup>st</sup> March 2015.</p> <p>It is available on the CHS website at <a href="http://www.chscotland.gov.uk/media/47782/chs-information-security-policy-v30.pdf">http://www.chscotland.gov.uk/media/47782/chs-information-security-policy-v30.pdf</a></p> <p>It is recognised as one of the ‘overarching, core IG policies’ in the <i>Governance Policy Framework</i>.</p> <p>The <i>Policy</i> is supported by a suite of guidance on information security, such as the <i>Acceptable Use Policy</i> (supplied) and by staff training (<b>see element 12</b>). Staff training in information security makes up a major part of the <i>Information Governance Strategy</i> (<b>see General Comments below</b>).</p> <p>The <i>Information Security Policy</i> and the production of <i>Keeping Information Safe</i> newsletters specifically aligns with Key Objective 1 in the <i>Information Governance</i></p>

			<p><b>Strategy (see General Comments below).</b> Objective 3 also aims to create an organisation which “values protecting information appropriately”; Objective 4 commitments around security incident management and Objective 7 commitments to apply access and security mechanisms.</p> <p>Information Security is specifically mentioned in the <i>Records Management Policy (see element 3)</i>.</p> <p>The Information Governance Officer (<b>see element 2</b>) has a responsibility to report to the SIRO (<b>see element 1</b>) on information risk.</p> <p>The Keeper has been provided with a link to a video for panel members that provides key messages for keeping information safe, this is a useful tool.</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have an approved and operational information security policy statement as required by the Act.</p>
<p>9. Data Protection</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>CHS have supplied the Keeper with their <i>Data Protection Policy</i>. This is version 2.0 dated 26<sup>th</sup> August 2014.</p> <p>It is available on the CHS website at <a href="http://www.chscotland.gov.uk/media/46866/data-protection-policy-v20.pdf">http://www.chscotland.gov.uk/media/46866/data-protection-policy-v20.pdf</a></p> <p>It is recognised as one of the ‘overarching, core IG policies’ in the <i>Governance Policy Framework</i>.</p> <p>CHS is registered with the Information Commissioner at Z2964385.</p> <p>Compliance with data protection legislation is specifically mentioned in the</p>

			<p>introduction to the RMP.</p> <p>CHS have provided the Keeper with <i>Keeping Information Safe Data Protection – What You Need to Know</i> guidance. This demonstrates that staff have appropriate access to information on this subject.</p> <p>The <i>Supporting Statement</i> highlights training in data protection as does the <i>Information Governance Strategy</i> (<b>see General Comments below</b>). Data protection training will form part of the bespoke e-learning package currently in preparation (<b>see element 12</b>).</p> <p>Data protection is specifically mentioned in the <i>Records Management Policy</i> (<b>see element 3</b>). This <i>Policy</i> features a section on training (section 6) committing CHS to ensuring all staff are aware of their data protection responsibilities.</p> <p>The <i>Data Protection Policy</i> aligns with Objective 3 in the <i>Information Governance Strategy</i> (<b>see General Comments below</b>).</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have an approved and operational data protection policy and have provided evidence that they are aware of their responsibilities under the Data Protection Act 1998.</p>
<p>10. Business Continuity and Vital Records</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>CHS have submitted their <i>Business Continuity Plan</i> to the Keeper. This is version 9 dated 5<sup>th</sup> August 2014.</p> <p>The submitted plan has been redacted. The Keeper agrees that this redaction is appropriate due to the nature of the document. The Keeper would like to assure CHS that all documents submitted in evidence are held securely by NRS and access is strictly limited to the PRSA Assessment Team, the Head of Government</p>

			<p>Records and himself. The submitted <i>Continuity Plan</i> features sections on records recovery and on vital records (section 4).</p> <p>The <i>Business Continuity Plan</i> states at 4.7.1 “The Retention and Disposal Schedule has been approved by SMT and all vital records have been identified. Examples include panel member records, original signed copies of Partnership Agreements, MoUs, etc, official copies of Board and Committee minutes of meetings, panel and AST member records, financial and staff HR records, risk management and policy records.”</p> <p>CHS have submitted their <i>Vital Records Strategy</i> this is version 1.0 dated 26<sup>th</sup> August 2014.</p> <p>The author of the <i>Vital Records Strategy</i> is Ava Wieclawska (<b>see element 2</b>).</p> <p>Business Continuity and the identification of vital records is specifically mentioned in the Records Management Policy (<b>see element 3</b>).</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have business continuity arrangements that properly consider the recovery of records and that they have identified particular records that are vital to their business.</p>
11. Audit trail	<b>G</b>	<b>G</b>	<p>Objective 6 of CHS’ <i>Information Governance Strategy</i> (<b>see General Comments below</b>) commits the authority to “Know what information we hold and where it is stored”. Objective 7 states that CHS will “cap[tur]e audit trail information relating to the creation, access retrieval and disposal of records throughout their lifecycle.”</p>

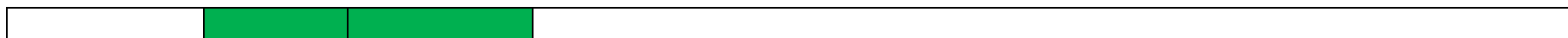


			<p>In order to further this key objective, records held on the CHIRP system (<b>see General Comments below</b>) have an audit trail imposed on them automatically.</p> <p>Records on the shared drives and the ‘very few’ paper records (<b>see under General Comments below</b>) are tracked using version control and naming convention guidance. Samples of this guidance have been supplied to the Keeper.</p> <p>Naming Conventions are specifically mentioned in the <i>Records Management Policy</i> (<b>see element 3</b>).</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have mechanisms in place to locate and identify records when necessary.</p>
<p>12. Competency Framework for records management staff</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p><b>For the meaning of the word ‘staff ‘ in a CHS context see General Comments at the end.</b></p> <p>CHS have shared their <i>Records Management Competency Framework</i> with the Keeper. This is v1.0 dated October 2014. It is available on the CHS website at: <a href="http://www.chscotland.gov.uk/media/88174/Records-Management-Competency-Framework-v10.pdf">http://www.chscotland.gov.uk/media/88174/Records-Management-Competency-Framework-v10.pdf</a></p> <p>They have also shared the Performance Objectives for the Information Governance Officer (<b>see element 2</b>) which include the objective that she should ‘Contribute to the outcome of an effective and supportive organisation through the delivery of a compliant, transparent and accountable Records Management Plan, as required under the Public Records (Scotland) Act 2011 – March 2015.’ This document is also available on-line at : <a href="http://www.chscotland.gov.uk/media/88156/IGO-Performance-Objectives-v20.pdf">http://www.chscotland.gov.uk/media/88156/IGO-Performance-Objectives-v20.pdf</a></p>

			<p>Staff training, particularly around information security, forms a major part of the <i>Information Governance Strategy</i> document which has been provided to the Keeper <b>(see general comments below)</b>.</p> <p>Staff training is available on information security and data protection. There is a commitment to produce useful information governance guidance and to routinely promote effective information management in everyday “communications and activities” in the <i>Information Governance Strategy</i> <b>(see General Comments below)</b>.</p> <p>The <i>Records Management Policy</i> <b>(see element 3)</b> features a section on training (section 6) committing CHS to ensuring all staff are aware of their information governance responsibilities.</p> <p>The <i>Supporting Statement</i> highlights training in information security. Staff are required to complete the eLearning modules every two years (<i>Information Governance Strategy 2015-2018</i>).</p> <p>The development of <i>Records Management Competency Framework</i> and staff training on the management of information including “using online training and development tools, such as the Civil Service Learning resources” aligns with Key Objective 2 in the <i>Information Governance Strategy</i>. Furthermore, staff training on security of information aligns with Key Objective 1 in the same strategy.</p> <p>Bespoke training content is being prepared by the Information Governance Officer. Further information relating to the development and roll out of the training has been provided to the Keeper alongside a copy of the eLearning content for panel members.</p> <p>The Keeper agrees that the individual identified as having day-to-day responsibility for implementing the RMP has appropriate skills for the role. Furthermore, the</p>
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			<p>Keeper acknowledges that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland considers records management training for appropriate staff.</p>
<p>13. Assessment and Review</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The RMP was quality controlled, by CHS Project Assurance Manager, during the development stage. A gap analysis was carried out at an early stage using the Scottish Council on Archives ARMS self-assessment tool. The ARMS self-assessment tool is endorsed by the Keeper. The original gap analysis and the resultant report have been provided to the Keeper. The National Convener and CHS have committed to forwarding self-assessment updates to the Keeper on an annual basis, in line with the internal review of the Records Management Plan. The Keeper thanks them for this commitment.</p> <p>The RMP commits the IGO (<b>see element 2</b>) to a review of plan after the Keeper’s agreement using the same ARMS methodology. In the future there will be an annual review of the RMP by the IGO supported by a biennial review by the ARMC (<b>see General Comments below</b>).</p> <p>The IGO reports up through the SIRO (see element 1) to the ARMC and they in turn report to Senior Management. Minutes of various meetings have been provided to show that the reporting mechanism is in operation.</p> <p>Regular review of training materials aligns with Key Objective 2 in the <i>Information Governance Strategy</i> (<b>see General Comments below</b>).</p> <p>The <i>Vital Records Strategy</i> is reviewed annually.</p> <p>The <i>Records Management Policy</i>, the <i>Information Security Policy</i>, the <i>Records Management Competency Framework</i> and the <i>Data Protection Policy</i> are reviewed every two years.</p>

			<p>The <i>Information Governance Strategy 2015-2018</i> commits CHS to review their (FOI) <i>Publication Scheme</i> and incident procedures.</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland have arrangements in place to keep the RMP under review and have properly considered review periods for other supporting documents.</p>
<p>14. Shared Information</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>CHS share information with third parties, for example local authorities, as part of their routine business.</p> <p>They do so utilising <i>Information Sharing Protocols</i> a sample template to be used in creating these protocols has been supplied to the Keeper. This template considers the ownership and security of the records being considered for sharing.</p> <p>The CHS data sharing agreement specifically mentions data protection.</p> <p>Information Sharing is specifically mentioned in the <i>Records Management Policy (see element 3)</i>.</p> <p>Commitments around information sharing made in the RMP support key Object 5 in the <i>Information Governance Strategy (see under General Comments below)</i>. The utilisation of information sharing protocols and data access agreements are part of this strategy.</p> <p>The Keeper agrees that Children’s Hearings Scotland and the National Convener of Children’s Hearings Scotland properly considered the records management implications of information sharing as it is appropriate to the requirements of their business functions.</p>



General Notes on RMP, Including Concerns:

### **Version**

This assessment is on the Records Management Plan of the National Convener and Children's Hearings Scotland, dated 31<sup>st</sup> March 2015 and submitted to the Keeper on that day.

The RMP and much of the supporting evidence is already published on the CHS website:

<http://www.chscotland.gov.uk/media/88550/National-Convener-and-CHS-Records-Management-Plan-v10.pdf>

The introduction to the RMP recognises records as a business asset. The purposes of the plan and the value of good records management to the authority are well described in this introduction. The introduction also speaks of 'future improvement activities' which is in keeping with the aims of the Act.

The RMP follows the structure of the Keeper's Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>

The RMP is accompanied by a *Supporting Statement* from the National Convener, dated March 2015, that names the officers identified at elements 1 and 2 and states: "We are committed to developing CHS as an organisation which values information and works to remove barriers to managing information effectively".

The RMP is also supported by a *Project Initiation* document which bullet points the key reasons behind the creation and implementation of the RMP. It also describes, as an appendix, the benefits of robust records management. The Keeper commends this document which can be viewed on the CHS website at <http://www.chscotland.gov.uk/media/87919/Project-Initiation-Document-CHS-Records-Management-Plan-v20.pdf>

### **Staff**

As well as corporate staff the RMP applies to the volunteer panel members and to area support team volunteers (AST). Clerks to the ASTs, although creating records for CHS, are not in the direct employ of the National Convener. CHS have tailored their guidance etc. to different categories of staff, which should make it more effective. For the purposes of this assessment all users of the records management system will be described as CHS 'staff'.

### **Paper Records**

CHS have, according to their RMP, 'very few' physical records. However, several documents submitted in evidence, such as *Managing Information – Guidance for Staff* refer to paper records and the Keeper must be satisfied that, in elements such as 11. Audit Trail, hard copy records are considered. The public records of CHS and the National Convener should be considered wholly electronic. Paper records referenced in guidance and procedures are working copies. Local authorities will retain some hard copy legacy records relating to panel members who transferred to the national Children's Panel on 24 June 2013, however, these records are the responsibility of the local authority and not the National Convener and CHS. Information Sharing Protocols are in place to govern access to the legacy information and the ISPs require this information to be shared in a secure electronic format.

### **Third parties**

*It is not thought that any function of Children's Hearings Scotland is carried out by a third party under contract. AST records held temporarily on local authority servers do not fall into this category, as the Keeper would consider that they are providing a storage service.* CHS state: "CHS uses a number of services provided by third parties to support in the delivery of key functions, including recruitment, however CHS can confirm that Data Processing Contracts are in place with all third parties to govern the processing of any personal data. The Scottish Children's Reporter Administration (SCRA) provide the HR and Finance functions for the National Convener and CHS through a shared services arrangement. A Memorandum of Understanding and Data Processing Contract is in place with SCRA outlining the terms of this arrangement." The Keeper thanks CHS for this statement. He does not consider HR and Finance as being CHS 'functions' for the purposes of element 14.

## **CHIRP**

CHIRP (Children's Hearings Information and Research Portal) serves as the corporate intranet and electronic records management tool. An introduction to the system is available to the public at <https://vimeo.com/111848915> but access to CHIRP itself is restricted to authorised account holders. CHIRP is the main tool for disseminating policy documents, such as those provided in evidence here, to appropriate staff. Several screen-shots from CHIRP have been provided to give the Keeper a feel of the way the system appears to users.

## **ARMC**

CHS' Audit and Risk Management Committee is a key committee that has Information Governance as a standing item on its agenda. Joe Campbell (**see element 1**) sits on this committee. Compliance with policies is regularly reported to ARMC (see *Records Management Policy* section 7 for example). The ARMC terms of reference are available on the CHS website at: <http://www.chscotland.gov.uk/our-publications/board/2013/06/audit-and-risk-management-committee-terms-of-reference/>

## **Information Governance Strategy**

CHS have provided the Keeper with their *Information Governance Strategy 2015-2018*, v. 1.0 approved March 2015. This key document is also available on the CHS website at <http://www.chscotland.gov.uk/media/87883/Information-Governance-Strategy-v10.pdf>

The *Information Governance Strategy 2015 – 2018* is designed to promote the objectives and values of the corporate *Business Plan 2014/15* <http://www.chscotland.gov.uk/media/65398/chs-business-plan-2014-15.pdf>

The *Strategy* recognises records as a corporate asset. The strategy is defined by CHS' Senior Management.

The Keeper agrees that the RMP supports the key objectives of the *Information Governance Strategy 2015-2018*.

## 6. Keeper's Summary

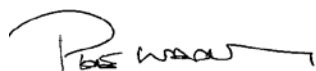
Elements **1 - 14** that the Keeper considers should be in a public authority records management plan have been properly considered by Children's Hearings Scotland and the National Convener of Children's Hearings Scotland. Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **Children's Hearings Scotland and the National Convener of Children's Hearings Scotland**.

- The Keeper recommends that Children's Hearings Scotland and the National Convener of Children's Hearings 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,



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

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



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

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by Children's Hearings Scotland and the National Convener of Children's Hearings Scotland. In agreeing this RMP, the Keeper expects the authorities to fully implement the agreed RMP and meet its obligations under the Act.



.....  
**Tim Ellis**  
Keeper of the Records of Scotland