

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

### **Dumfries and Galloway Integration Joint Board**

### **The Keeper of the Records of Scotland**

**9<sup>th</sup> August 2022**

**Contents**

<b>1. Public Records (Scotland) Act 2011</b>	<b>3</b>
<b>2. Executive Summary</b>	<b>4</b>
<b>3. Authority Background</b>	<b>4</b>
<b>4. Assessment Process</b>	<b>5</b>
<b>5. Model Plan Elements: Checklist</b>	<b>6-27</b>
<b>6. Keeper's Summary</b>	<b>28</b>
<b>7. Keeper's Determination</b>	<b>29</b>
<b>8. Keeper's Endorsement</b>	<b>30</b>

## 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 Dumfries and Galloway Integration Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 27 December 2020.

The assessment considered whether the RMP of Dumfries and Galloway Integration Joint Board was developed with proper regard to the 15 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

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

## 3. Authority Background

Dumfries and Galloway Health and Social Care Partnership brings together the NHS, Council and the Third and Independent Sectors.

The Partnership is committed to helping people achieve and maintain their best possible level of wellbeing, and to working in partnership to create, deliver and sustain new models of health and social care.

It takes forward the work of Dumfries and Galloway Integration Joint Board – a public body formed in 2014 through Scottish Government legislation, now responsible for the planning and delivery of the vast majority of health and adult social care services within the region.

[Integration Joint Board – Dumfries & Galloway Health & Social Care \(dghscp.co.uk\)](http://dghscp.co.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 Dumfries and Galloway Integration Joint Board's RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

### Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is updated as work on this element progresses.		R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.
---	--	--	---	--	--	---	--

## 5. Model Plan Elements: Checklist

### Dumfries and Galloway Integration Joint Board (‘The IJB’ in the assessment below)

#### Explanation of records management arrangements:

The Records Management Plan explains “Dumfries and Galloway Integration Joint Board (the IJB) is responsible for the planning and delivery of health and social care integrated functions for Dumfries and Galloway.” And “The IJB’s Integration Scheme sets out the functions which are delegated by NHS Dumfries and Galloway and Dumfries and Galloway Council to the IJB.”

The public records of the IJB are created, managed and stored digitally on NHS Dumfries and Galloway systems. As this is the case, the IJB records are subject to NHS Dumfries and Galloway records management policies and procedures. Records management arrangements between the IJB and NHS Dumfries and Galloway are supported by a Memorandum of Understanding (MoU). This has been shared with the Keeper. The MoU states: “... all records of the IJB will be held by NHS Dumfries and Galloway on behalf of the IJB. All records of the IJB will be subject under the terms of the agreement to all relevant policies and procedures of NHS Dumfries and Galloway applying to records management functions and together with any relevant data sharing agreements.”

This is further supported by the IJB Records Management Policy. For example, the introduction notes: “As all public records of the IJB are held on NHS Dumfries and Galloway IT systems, it will be covered by many of the policies and procedures in place and in particular the NHS Dumfries and Galloway Records Management Plan and Records Management Policy.”

The document control sheets of the IJB’s Records Management Plan and Records Management Policy show the NHS Dumfries and Galloway Head of Information Governance reviewed the Plan and co-authored the Policy.

On 21 March 2017 the Keeper of the Records of Scotland (the Keeper) agreed the *Records Management Plan* of NHS Dumfries and Galloway, [NHS Dumfries and Galloway Assessment Report \(nrscotland.gov.uk\)](http://nrscotland.gov.uk).

Element	Present	Evidence	Notes
1. Senior Officer	<b>G</b>	<b>G</b>	<p>The Public Records (Scotland) Act 2011 (the Act) requires that an individual senior staff member is identified as holding corporate responsibility for records management in a public authority.</p> <p>Julie White, the Chief Officer of Dumfries and Galloway Integration Joint Board (the IJB) and Chief Officer for the Health and Social Care Partnership has oversight of the IJB's compliance with their <i>Records Management Plan (RMP)</i> page 5). The Chief Officer chairs the Health and Social Care Executive Group which has strategic responsibility for the Health and Social Care Partnership. The Chief Officer reviewed the <i>RMP</i>.</p> <p>A <i>Letter from Chief Officer</i> (dated 16 November 2020) confirms the IJB have appointed Ms White as responsible officer with "strategic accountability for records management".</p> <p>The <i>Records Management Policy</i> (page 5) (version 2.0 dated 3 December 2020) further supports this.</p> <p>The Keeper of the Records of Scotland (the Keeper) agrees that Dumfries and Galloway Integration Joint Board have identified an appropriate individual to this role as required by the Act.</p>
2. Records Manager	<b>G</b>	<b>A</b>	<p>The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and has appropriate corporate responsibility, access to resources and skills. Due to the partnership nature of the arrangements affecting an IJB, the Keeper has determined that two individuals may</p>

			<p>be identified to this role if appropriate.</p> <p>Alison Warrick, Board Secretary / Corporate Governance Lead, is named as the IJB's Records Manager with operational responsibility for the implementation of the <i>RMP</i>.</p> <p>The <i>Letter from Chief Officer</i> also confirms this and notes the post has the full support of the Chief Officer (named at element 1).</p> <p>The records management duties of this position are outlined in the <i>RMP</i> compliance statement and support is available from NHS Dumfries and Galloway (the NHS) Records Management Team when required. The public records of the IJB are created, managed and stored digitally on NHS systems and all staff that manage these records are employees of the NHS. This arrangement is governed by a <i>Memorandum of Understanding (MoU) between NHS Dumfries and Galloway and Dumfries and Galloway Integration Joint Board</i> (signed November 2020).</p> <p>A <i>draft job description for the IJB Secretary / Corporate Governance Lead</i> has been submitted to the Keeper. This highlights the records management responsibilities of the post and confirms the line of reporting. <b>It has been confirmed separately that this job description is being re-evaluated and when completed a copy will be provided. The Keeper can provided with a copy of the approved document through the NRS Progress Update Review (PUR) mechanism, <a href="https://www.nrscotland.gov.uk/progress-update-reviews">Progress Update Reviews   National Records of Scotland (nrscotland.gov.uk)</a>.</b></p> <p>The <i>Records Management Policy</i> (page 5) also confirms the records management role of the post of Board Secretary / Corporate Governance Lead.</p> <p>Alison Warrick is the author of the <i>RMP</i> and co-author of the <i>Records Management Policy</i>.</p>
--	--	--	---



			<p>The Records Manager has completed the training course ‘Practitioner Certificate in Scottish Public Records Management’. A screenshot has been provided showing this.</p> <p><b>The Keeper agrees that Dumfries and Galloway Integration Joint Board have identified an appropriate individual to this role as required by the Act. This agreement is on an ‘improvement model’ basis. On receipt of an approved job description for the IJB Secretary / Corporate Governance Lead the Keeper should be able to fully agree this element.</b></p>
3. Policy	<b>G</b>	<b>G</b>	<p>The Act requires an authority to have an appropriate policy statement on records management.</p> <p>The public records of the IJB are created, managed and stored digitally on NHS Dumfries and Galloway systems.</p> <p>The IJB have a <i>Records Management Policy</i>, (version 2.0 dated 3 December 2020) which has been submitted. The Policy will be reviewed annually. It is published on the HSCP website <a href="http://dghscp.co.uk/IB-Records-Management-Policy.pdf">IB-Records-Management-Policy.pdf (dghscp.co.uk)</a> and commits to being made available for staff to access on the NHS intranet site, Beacon (page 5).</p> <p><i>A Draft minute of the IJB 3 December 2020</i>, submitted as evidence, shows the Board approving the submission of the <i>RMP</i> and <i>Records Management Policy</i> to the Keeper. Minutes and reports are published on the Dumfries and Galloway Health and Social Care Partnership public website and confirm these draft minutes were agreed.</p> <p>The <i>Policy</i> is applicable to all records regardless of format and confirms all records</p>

			<p>created and managed by the IJB are electronic. It also refers to the NHS Dumfries and Galloway Records Management Policy. The NHS <i>Health and Administration Records Management Policy</i> has also been provided.</p> <p>All IJB staff who manage records are employed by NHS Dumfries and Galloway. <i>Policy</i> (page 4).</p> <p>The Keeper agrees that Dumfries and Galloway Integration Joint Board has a formal records management policy statement as required by the Act.</p>
4. Business Classification	<b>A</b>	<b>G</b>	<p>The Keeper of the Records of Scotland (the Keeper) expects that the public records of an authority are known and are identified within a structure.</p> <p>The IJB create, manage and store all their public records on NHS systems. These records are all electronic and are held on a NHS shared drive. A <i>Draft minute of the IJB 3 December 2020</i> (page 4) explains that Julie White (named at element 1) is designated as owner of the secure NHS file in which the IJB records are held and her permission is required to grant access. A <i>Screenshot of Health and Social Care Integration shared drive page, which incorporates IJB records, held on NHS Dumfries and Galloway systems</i> has been submitted to the Keeper showing this file.</p> <p>The IJB follow the <i>Business Classification Scheme Framework of NHS Dumfries and Galloway</i> (draft version dated October 201) and are developing their own <i>Draft Business Classification Scheme (incorporating Record Retention Schedule)</i>, both of which have been submitted to the Keeper. The <i>Draft BCS</i> is arranged by function and includes retention periods for different classes of records.</p> <p>The IJB acknowledge the <i>BCS</i> will be subject to regular change to meet business requirements and commit to reviewing it annually as part of the reviews of the <i>RMP</i> and <i>Records Management Policy</i>. The IJB “recognises and acknowledges the</p>

			<p>importance of organising its corporate information to facilitate efficiency of information management.” (BCS page 1)</p> <p><b>When the <i>Draft BCS</i> has been approved incorporated into the NHS BCS (noted as a future action) can this be confirmed and a copy please be provided to the Keeper.</b></p> <p>It has been confirmed separately that the IJB Records Manager has been in contact with NHS Dumfries and Galloway “to ensure that due consideration is given to include mention of the IJB in all policies and procedures for IM&amp;T.”</p> <p><b>In March 2017, The Keeper agreed this element of NHS Dumfries and Galloway’s plan. However, he did so under ‘improvement model’ terms. A gap in provision was acknowledged (a full business classification scheme had not yet been rolled-out in the organisation) and measures were in place to address this.</b></p> <p><b>The Keeper has determined that the RAG status of a <i>Records Management Plan</i> of any authority, whose records are managed on the systems of a separate authority, cannot be higher than that awarded to the ‘host’ authority. This agreement status, along with the IJB’s own <i>BCS</i> being in development, means the Keeper can agree this element on the same ‘improvement model’ terms as NHS Dumfries and Galloway. The IJB will be invited annually to update the Keeper on progress through the voluntary Progress Update Review (PUR) mechanism.</b></p>
5. Retention schedule	<b>G</b>	<b>G</b>	<p>The Keeper expects an authority to have allocated retention periods to its public records and for those records to be retained and disposed of in accordance with a Retention Schedule.</p>

			<p>The <i>Records Management Policy</i> (page 3) lists among its stated aims that “the right information is created and kept for as long as it is required”. It goes on to note (page 4) that “Retention schedules will govern the period of time that records will be retained and will be in line with Scottish Governments Records Management Health and Social Care Code of Practice (Scotland) 2020.” In addition, one of the formal NHS processes which had been adopted by the IJB is the Scottish Council on Archives (SCA) Records Retention and Disposal Schedules to “provide clear guidance regarding the retention and disposal of the IJB records.” (<i>Records Management Policy</i> page 4). IJB retention decisions are based on NHS retention practices. Both the NHS <i>RMP</i> and NHS <i>Health and Administration Records Management Policy</i> refer to the Scottish Government Records Management: NHS Code of Practice (Scotland) v2.1, January 2012 as informing record retention decisions, as noted below.</p> <p>Retention periods are outlined in the <i>Draft Business Classification Scheme (incorporating Record Retention Schedule)</i>. Retention decisions are based on the NHS’s retention practices which are outlined in the <i>NHS Dumfries and Galloway Health and Administration Records Management Policy</i> (dated February 2016). This <i>Policy</i> is informed by the now superseded Scottish Government Records Management: NHS Code of Practice (Scotland) v2.1, January 2012. <b>The <i>RMP</i> notes the <i>Health and Administration Records Management Policy</i> will be updated in line with the revised Scottish Government Records Management Health and Social Care Code of Practice (Scotland) 2020 and the IJB’s Records Manager will work with the Information Assurance Team of NHS Dumfries and Galloway to ensure that all updated versions of documents include reference to the IJB, where appropriate. Both <i>Codes of Practices</i> (2012 and 2020) have been provided as evidence. The Keeper would like to be informed when this action has been completed.</b> It has been confirmed separately that the IJB Records Manager has been in contact with NHS Dumfries and Galloway “to ensure that due consideration is given to include mention of the IJB in all policies</p>
--	--	--	---

			<p>and procedures for IM&amp;T.”</p> <p>In 2017 the Keeper agreed that NHS Dumfries and Galloway had approved and operational retention schedules in place. While the IJB’s <i>BCS (incorporating Records Retention Schedule)</i> is a draft document in the process of development and implementation, it has been confirmed that retention decisions are based on the NHS’s retention practices. Therefore, the Keeper can agree that Dumfries and Galloway Integration Joint Board has a schedule providing retention decisions for the record types created while pursuing its functions.</p>
<p>6. Destruction Arrangements</p>	<p><b>A</b></p>	<p><b>G</b></p>	<p>The Act requires that public records are destroyed in a timely, controlled and secure manner.</p> <p>One of the formal processes of the NHS which has been adopted by the IJB is “The review and consolidation of destruction arrangements to detail the correct procedures to follow when disposing of business information” <i>Records Management Policy</i> (page 4).</p> <p>Currently there is no automatic system for destroying or archiving records of the IJB (<i>RMP</i> page 12/13). <b>As all the public records of the IJB are managed on NHS systems, the Keeper can accept that the same processes will be followed for ensuring the permanent destruction of electronic records from shared drives. However, when the Keeper agreed the Records Management Plan of NHS Dumfries and Galloway in 2017 this was done so on an improvement model basis as “instructions on deletion of electronic administrative records are wanting” and a commitment was made to update “The NHS Dumfries and Galloway policy... to include reference to the procedure to be followed for non-clinical records.”</b></p> <p>The disposal of electronic hardware is managed through the NHS hardware</p>

			<p>disposal practices. <i>NHS Dumfries and Galloway Disposal Rules</i> and <i>NHS Dumfries and Galloway Confirmation of Destruction/Recycling</i> have been submitted as evidence. The <i>Rules</i> provide instruction on preparing hardware for disposal, and the <i>Confirmation</i> shows a sample list of hardware which has been destroyed by a third party provider.</p> <p>The process for the destruction of electronic back-ups is explained in the NHS <i>RMP</i> (page 22) and IJB <i>RMP</i> (page 19): “All records held on NHS Dumfries &amp; Galloway networks are synchronously replicated to a remote copy to provide a Recovery Point Objective (RPO) of 0 seconds.” The Keeper’s agreement report of 2017 (page 11) notes “Daily backups are performed with backups being retained for 18 months as per Board guidelines. Records deleted from a Board system are deleted from the next backup.”</p> <p><b>In March 2017, The Keeper agreed this element of NHS Dumfries and Galloway’s plan. However as noted above, he did so under ‘improvement model’ terms. A gap in provision was acknowledged (instructions on deletion of electronic administrative records are wanting...) and the Keeper was convinced of a commitment to close this gap. His agreement was conditional on being updated on progress.</b></p> <p><b>The Keeper has determined that the RAG status of a <i>Records Management Plan</i> of any authority, whose records are managed on the systems of a separate authority, cannot be higher than that awarded to the ‘host’ authority. This agreement status means the Keeper can agree this element on the same ‘improvement model’ terms as the NHS.</b></p>
7. Archiving and Transfer	<b>G</b>	<b>G</b>	<p>The Act requires that all Scottish public authorities identify a suitable repository for the permanent preservation of any records considered suitable for archiving. A formal arrangement for transfer to that repository must be in place.</p>

			<p>As noted under element 6, there is no automatic system in place for destroying or archiving records (<i>RMP</i> page 12/13). Retention decisions are in line with Scottish Government Records Management Health and Social Care Code of Practice (Scotland) 2020 (see element 5).</p> <p>One of the formal processes of the NHS which has been adopted by the IJB is “The development of archive transfer arrangements to detail the procedure for identifying and transferring relative records to Archive” (<i>Records Management Policy</i> page 4). Those records selected for permanent preservation will be selected by an appraisal process defined in the NHS’s <i>Health and Administration Records Management Policy</i> (Section 5a) and the Scottish Government Code of Practice.</p> <p>At the time of the Keeper’s agreement of their RMP in 2017, NHS Dumfries and Galloway selected Dumfries and Galloway Council’s Archive Service as a proper repository for health board records and have a Memorandum of Understanding (MoU) which governs this arrangement. The Keeper agreed the NHS had selected a suitable repository and that a formal arrangement was in place: <a href="https://www.nrscotland.gov.uk">NHS Dumfries and Galloway Assessment Report (nrscotland.gov.uk)</a>.</p> <p>At present no Board records, which are all electronic, have reached the stage for archiving (<i>RMP</i> page 16).</p> <p>The Keeper acknowledges that digital archiving in the Scottish public sector is in its infancy and it may be many years before those records selected for permanent preservation can be transferred to the proper repository, in this case Dumfries and Galloway Council Archive Service. The Keeper would encourage the IJB, in conjunction with the NHS, to keep abreast of developments at the selected repository which will affect the transfer of digital records for permanent preservation.</p>
--	--	--	---

			<p>While there is no automatic process in place and no records have yet reached the point of transfer for permanent preservation, the Keeper is confident that Dumfries and Galloway Integration Joint Board have appropriate processes in place under arrangements at NHS Dumfries and Galloway to properly archive selected records when appropriate.</p>
<p>8. Information Security</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Act requires that public records are held in accordance with information security compliance requirements.</p> <p>The <i>RMP</i> states the <i>Information Security Policy of NHS Dumfries and Galloway</i> (dated April 2019) has been adopted by the IJB, a copy of which has been provided as evidence. This <i>Policy</i> covers Information Technology (IT) governance and security, and the procedures in place are in line with NHS Scotland Information Assurance Strategy. The <i>Policy</i> provides details of the arrangements in place and is applicable to “all information assets held by NHS Dumfries &amp; Galloway in any format...” As all the public records of the IJB are held on NHS systems, the Keeper agrees that this is entirely appropriate.</p> <p>One of the stated aims of the <i>Records Management Policy</i> (page 3) is that "Information is stored, used and protected in accordance with the many requirements of its creators, users the IJB, and statutory and regulatory authorities".</p> <p>In 2017, the Keeper agreed that the information security arrangements in place at the NHS were appropriate: <a href="https://nrsotland.gov.uk">NHS Dumfries and Galloway Assessment Report (nrsotland.gov.uk)</a>. The <i>Information Security Policy</i> supplied in evidence is an updated version of that which was supplied to the Keeper in 2017.</p> <p>The NHS manage breaches in access to unauthorised sensitive personal information under a Fair Warning system. Details have been provided in the form of <i>Guides for Staff and Managers</i>.</p>



			<p>Staff have access to all NHS policies and procedures via their intranet site 'Beacon'. A screenshot showing a link to all policies has been provided.</p> <p>As part of the induction process for all NHS staff, mandatory Information Governance and Security training must be completed within four weeks of the commencement of their employment and is routinely updated through refresher training (<i>NHS Information Security Policy</i> page 9). All IJB staff are employed by the NHS. A screenshot showing confirmation of completion of this training has also been provided.</p> <p>The Keeper agrees Dumfries and Galloway Integration Joint Board have procedures in place to appropriately ensure the security of their records as required by the Act.</p>
<p>9. Data Protection</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law.</p> <p>The IJB acknowledge their responsibilities relating to data protection and the importance of effective records management in aiding the authority's compliance with legislation. (<i>RMP</i> page 18)</p> <p>The <i>Records Management Policy</i> (page 3) lists among its aims, "to ensure that: The IJB complies with legislation; The right information is created and kept for as long as it is required" and "Information is stored, used and protected in accordance with the many requirements of its creators, users the IJB, and statutory and regulatory authorities".</p> <p>The IJB have confirmed separately that the IJB is not a Data Controller, this sits with NHS Dumfries and Galloway.</p>

			<p>All IJB records are created, stored, and managed on NHS system and the NHS <i>Confidentiality and Data Protection Policy</i> is one of the listed policies that form the IJB's records management framework (<i>Records Management Policy</i> page 6). Data protection matters are dealt with through the NHS Data Protection Officer (DPO) and under the NHS ICO registration. The NHS DPO and IJB Records Manager will liaise on any such matters. The NHS is registered as a data controller with the Information Commissioner (registration number: Z6162267).</p> <p>The <i>Confidentiality and Data Protection Policy</i> of NHS Dumfries and Galloway (version 3.0 dated April 2019) has been submitted as evidence. This is publically available on the NHS website (<a href="https://www.nhs.uk/recordsmanagement/policies/Confidentiality_Data_Protection_Policy.pdf">Confidentiality Data Protection Policy.pdf (nhsdq.co.uk)</a>) and is an updated version, reflecting changes in legislation, of that submitted to the Keeper at the time of agreement of the NHS Records Management Plan in 2017. The Keeper agreed that NHS Dumfries and Galloway properly considered their responsibilities under the relevant data protection legislation at that time.</p> <p>NHS Dumfries and Galloway data protection information is available on their website, <a href="https://www.nhs.uk/recordsmanagement/policies/Data_Protection_Notice_-_NHS_Dumfries_%26_Galloway.pdf">Data Protection Notice – NHS Dumfries &amp; Galloway (nhsdq.co.uk)</a>.</p> <p>The Keeper agrees that Dumfries and Galloway Integration Joint Board have arrangements in place that allow them to properly comply with data protection legislation.</p>
10. Business Continuity and Vital Records	<b>A</b>	<b>G</b>	<p>The Keeper expects that record recovery, prioritising vital records, is an integral part of the authority's business continuity planning.</p> <p>The IJB create, manage and store all their public records on NHS systems. These records are all electronic and are held on a NHS shared drive. IJB records are</p>

			<p>covered by the business continuity arrangements of the NHS. “The IJB public records under this element are wholly covered by the arrangements, plans and procedures of NHS Dumfries and Galloway” (<i>RMP</i> page 19).</p> <p>The <i>Records Management Policy</i> (page 3) states that one of its aims is to ensure that ‘The IJB provides continuity in the event of a disaster’.</p> <p>Copies of the <i>NHS Scotland/Scottish Government Business Continuity Framework</i> and <i>NHS Business Continuity Management Overview and Framework</i> have been submitted. In 2017 the Keeper agreed that “this corporate continuity plan considers the recovery of records (for example page 10).” (<a href="http://nrsotland.gov.uk">NHS Dumfries and Galloway Assessment Report (nrsotland.gov.uk)</a>)</p> <p>Section 9 of the <i>Information Security Policy of NHS Dumfries and Galloway</i> addresses business continuity arrangements and the role of the NHS Head of Information Governance and IT Security Specialist in carrying out risk assessments and ensuring disaster recovery and continuity arrangements are in place. This <i>Policy</i> also confirms these arrangements will be regularly tested and routinely reviewed.</p> <p>A copy of <i>HPE 3PAR Remote Copy replication configuration</i> has also been provided. This diagram supports the <i>RMP</i> statement “All records held on NHS Dumfries and Galloway networks are synchronously replicated to a remote copy to provide a Recovery Point Objective (RPO) of 0 seconds.”</p> <p><b>In 2017 the Keeper agreed this element of NHS Dumfries and Galloway’s Records Management Plan on ‘improvement model’ terms as a gap in provision (the project to identify vital records is not completed) was identified and processes had been put place to close that gap.</b></p>
--	--	--	--

			<p>The Keeper has determined that the RAG status of a Records Management Plan of any authority, whose records are managed on the systems of a separate authority, cannot be higher than that awarded to the ‘host’ authority. Therefore, the Keeper can agree this on the same ‘improvement model’ terms as the NHS.</p>
11. Audit trail	<b>A</b>	<b>G</b>	<p>The Keeper expects an authority to have processes in place to track public records in such a way that their location is known and changes recorded.</p> <p>The <i>Records Management Policy</i> (page 3) acknowledges “that the effective management of its records, regardless of format is essential to support the functions of the IJB, to comply with legal, statutory and regulatory obligations and to demonstrate transparency and accountability to all its stakeholders.” It goes on to state one of its aims is to ensure that “information is held in a form and manner that helps people access it easily and efficiently”.</p> <p>The IJB create, manage and store all their public records on NHS systems. These records are all electronic and are held on a NHS shared drive. As such, IJB records are subject to the audit trail provision of the NHS.</p> <p>Shared drives do not have automatic audit trail provision. The ability to locate and track access and changes to records is reliant on suitable naming convention and version control procedures, as well as guidance being in place.</p> <p>The IJB has version control in place in the form of document and version control sheets. This measure having been introduced as a result of an internal audit. Document control sheets are present on the <i>RMP</i> and <i>Records Management Policy</i> and a <i>screenshot of an updated document and version control sheet</i> has been submitted as evidence.</p>

			<p>The Scottish Governments Records Management Health and Social Care Code of Practice (Scotland) 2020 (paragraph 153) states “Health and social care organisations must have guidance for naming conventions of electronic records (files and folders); this helps identify records and folders using common terms and titles.”</p> <p><b>In 2017 the Keeper agreed this element of the NHS RMP on an improvement model basis due to a gap in provision (version control/naming convention guidance not yet issued to all record creators...) but was convinced of a commitment to close this gap.</b></p> <p><b>The Keeper has determined that the RAG status of a Records Management Plan of any authority, whose records are managed on the systems of a separate authority, cannot be higher than that awarded to the ‘host’ authority. As all IJB records are subject to the audit trail provision of the NHS the Keeper can agree this element on the same ‘improvement model’ terms.</b></p>
<p>12. Competency Framework for records management staff</p>	<p><b>G</b></p>	<p><b>A</b></p>	<p>The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported.</p> <p>The <i>RMP</i> notes the IJB’s recognition of the importance of records management principles and practices and of training for staff with records management responsibilities. Furthermore, continuous professional development is recognised by senior management and will be supported where appropriate.</p> <p>This is supported by the <i>Records Management Policy</i> (page 4), which commits to providing appropriate training to all staff to ensure the aims of the <i>Policy</i> are achieved.</p> <p>All IJB staff are employed by the NHS and follow NHS staff induction and training</p>

			<p>procedures. These include corporate and local inductions which involve staff familiarising themselves with policies and procedures. The <i>NHS Confidentiality and Data Protection Policy</i> is one of these documents. This <i>Policy</i> (pages 3, 4, 6 and 7) also commits to ensuring all staff have appropriate training and access to policies and procedures. Further evidence supplied to demonstrate this includes a copy of <i>the NHS D&amp;G Recruitment, Selection and Induction Policy and Procedure</i>, <i>Screenshot of Mandatory Training covering Information Governance and Security</i>.</p> <p>The IJB Records Manager (Board Secretary/Governance Lead named at element 2) will ensure all staff with access to records will be made aware of the <i>RMP</i> and <i>Records Management Policy (RMP page 6)</i>. This post will also have support from the NHS Records Management Team when required.</p> <p><b>At the time of submission the Board Secretary/ Governance Lead job description, which highlights the records management responsibilities of the post, was a draft document. As noted at element 2, it has been confirmed separately that this job description is being re-evaluated. The Keeper requires to be provided with a copy of the approved document.</b></p> <p>The IJB Records Manager has completed the training course ‘Practitioner Certificate in Scottish Public Records Management’. A screenshot has been provided showing this.</p> <p>In 2017 the Keeper agreed the NHS had suitable arrangements in place to ensure staff received appropriate training and had access to records management policies and guidance.</p> <p><b>The Keeper agrees that the individual identified at element 2 has the appropriate responsibilities, resources and skills to implement the records management plan. Furthermore, he agrees that Dumfries and Galloway</b></p>
--	--	--	--

			<p><b>Integration Joint Board consider information governance training for staff as required. This agreement is on an ‘improvement model’ basis. On receipt of an approved job description for the IJB Secretary / Corporate Governance Lead the Keeper should be able to fully agree this element.</b></p>
<p>13. Assessment and Review</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review.</p> <p>All elements of the <i>RMP</i> will be formally reviewed annually to ensure it remains fit for purpose and more frequently if required (<i>RMP</i> page 22). This review will be carried out by the Board Secretary / Corporate Governance Lead, named at element 2 (<i>Letter from Chief Officer</i>).</p> <p>The Board Secretary / Corporate Governance Lead reports directly to the Chief Officer and has responsibility for keeping all policies and procedures up to date and presenting these to the Board for approval (<i>draft job description</i> page 6) (see request for approved version of this under element 2).</p> <p>The review of the <i>RMP</i> has been added to the IJB <i>Rolling Matrix Agenda</i>, a copy of which has been provided. Inclusion in this matrix will ensure the <i>RMP</i> is presented to the Board for review each year.</p> <p>The <i>Draft minute of the IJB</i> (see element 3) confirms the Board’s approval of the <i>RMP</i> and <i>Records Management Policy</i> in December 2020.</p> <p>The <i>MOU</i> states that the NHS will keep the IJB up to date with any changes to records management practices, policies, guidance and procedures. This is further confirmed by the <i>Letter from Chief Officer</i> which notes, the IJB Records Manager will work with the NHS Information and Assurance Team to ensure updates to relevant policies and supporting documentation will include reference to IJB records where appropriate.</p>

			<p>In 2017 the Keeper agreed NHS Dumfries and Galloway had sufficiently explained how they would conduct reviews of their RMP and provided a suitable review date.</p> <p>As a number of NHS policies and guidance form part of the IJB's records management framework it is essential any updates are communicated to the IJB. This has clearly been considered and appropriate actions put in place to ensure this is done.</p> <p>The IJB have a <i>Records Management Policy</i>, (version 2.0 dated 3 December 2020) will be reviewed annually</p> <p>The Keeper agrees that Dumfries and Galloway Integration Joint Board have made a firm commitment to review their <i>RMP</i> have a review process in place. Furthermore he agrees that supporting policy and guidance documents have appropriate review periods allocated.</p>
14. Shared Information	<b>G</b>	<b>G</b>	<p>The Keeper expects a Scottish public authority to ensure that information sharing, both within the Authority and with other bodies or individuals, is necessary, lawful and controlled.</p> <p>As part of its function an IJB must utilise the records of other partners and, therefore, information sharing is a key part of its business. In the case of Dumfries and Galloway Integration Joint Board the records of the Board itself are managed by a third party (the NHS). For these reasons the Keeper must be satisfied that robust data sharing agreements are in place in that third party.</p> <p>The IJB's <i>Records Management Policy</i> states that ensuring information sharing is managed appropriately is one its aims.</p>



			<p>The <i>RMP</i> outlines the mechanisms in place to carry this out, confirming information sharing is managed in line with the Data Protection Act 2018 and General Data Protection Regulations.</p> <p>The records of the IJB are created and managed on NHS systems. This arrangement is governed by a <i>MoU</i> which notes records of the IJB will be subject to the relevant data sharing agreements of the NHS.</p> <p>In 2017 the Keeper agreed that NHS Dumfries and Galloway had suitable information sharing arrangements in place.</p> <p>The NHS have a <i>Data Sharing Agreement</i> (dated 2019) in place with Dumfries and Galloway Council. This agreement manages data sharing to allow the delivery of health and social care services in Dumfries and Galloway. A copy of this and the <i>Scottish Accord on the Sharing of Personal Information (SASPI) ISP Guidance</i> (dated 2012), which is used by the NHS to record Information Sharing Protocols, have been provided to the Keeper.</p> <p>Information Sharing Protocols are covered in the <i>NHS Information Security Policy</i> (page 3) (see element 8).</p> <p>The Keeper can agree that Dumfries and Galloway Integration Joint Board properly considers records governance when undertaking information sharing programmes.</p>
15. Public records created or held by third parties	<b>N/A</b>	<b>N/A</b>	<p>The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered 'public records' - PRSA Part 1 3 (1)(b).</p> <p>The <i>RMP</i> (page 24) states "No public records of the Dumfries and Galloway</p>

			<p>Integration Joint Board are held by a third party.”</p> <p>The Keeper agrees that element 15 does not apply to Dumfries and Galloway Integration Joint Board.</p>
--	--	--	--

**General notes on submission**

This assessment is on the Records Management Plan (*RMP*) of Dumfries and Galloway Integration Joint Board, version 2.0, approved by the Board on 3 December 2020.

The *RMP* (page 4) acknowledges the importance of managing records appropriately and effectively: “Good recordkeeping practices lead to greater productivity as less time is taken to locate information. Well managed records will help the IJB make:

- Better decisions based on complete information
- Smarter and smoother work practices
- Consistent and collaborative workgroup practices
- Better resource management
- Support for research and development
- Preservation of vital and historical records”

And “It is expected that the IJB is fully committed to creating, managing, disclosing, protecting and disposing of information effectively.” (page 4)

The IJB’s *Records Management Policy* (page 4) states: “The IJB Records Management Policy is reflective of the recordkeeping arrangements of the IJB and makes reference to the policy statement of NHS Dumfries and Galloway Records Management Policy in that – NHS Dumfries and Galloway is committed to a systematic and planned approach to the management of records within the organisation, from their creation to their ultimate disposal.”

*Letter from Chief Officer* (dated 16 November 2020) – “All corporate records of the Dumfries and Galloway Integration Joint Boards will be hosted on NHS Dumfries and Galloway systems, this agreement is the subject of a Memorandum of Understanding between

both organizations.” And “I can confirm that the IJB Records Manager will commit to working with the Information Assurance Team of NHS Dumfries and Galloway to ensure that all future iterations of appropriate documents make reference to the records of the Integration Joint Board as required.”

The public records of the IJB are created, managed and stored digitally on NHS systems and all staff that manage these records are employees of the NHS.

The document control sheets of the IJB’s *RMP* and *Records Management Policy* show the NHS Dumfries and Galloway Head of Information Governance reviewed the *RMP* and co-authored the *Policy*.

## 6. Keeper's Summary

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

Elements that require development by Dumfries and Galloway Integration Joint Board are as follows:

Element 2. Records Manager

Element 4. Business Classification

Element 6. Destruction Arrangements

Element 10. Business Continuity and Vital Records

Element 11. Audit trail

Element 12. Competency Framework for records management staff

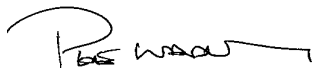
**The Keeper acknowledges that these elements (except elements 2 and 12) require improvement action on the part of the partner authority on whose systems the IJB's public records are managed rather than by the IJB.**

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **Dumfries and Galloway Integration Joint Board**.

- The Keeper recommends that Dumfries and Galloway Integration Joint 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

.....  
**Liz Course**  
Public Records Officer

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

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



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