

**Public Records (Scotland) Act 2011**

**East Renfrewshire Integration Joint Board**

**The Keeper of the Records of Scotland**

**8 October 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 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 East Renfrewshire Integration Joint Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 25<sup>th</sup> February 2019.

The assessment considered whether the RMP of East Renfrewshire Integration Joint Board 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 East Renfrewshire Integration Joint Board complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

The East Renfrewshire Integration Joint Board (IJB) was formally established on 27 June 2015. The IJB has been set up jointly by East Renfrewshire Council and NHS Greater Glasgow and Clyde to integrate strategic planning and service provision arrangements for adult and children's health and social care services and criminal justice services.

The IJB is a distinct legal entity from both the Council and the health board with both bodies delegating functions to the new Integration Joint Board.

<https://www.eastrenfrewshire.gov.uk/article/6437/East-Renfrewshire-Integration-Joint-Board>

## 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 East Renfrewshire 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:

<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

### East Renfrewshire Integration Joint Board (For simplicity referred to as 'the IJB' in the assessment)

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	<p>East Renfrewshire Integration Joint Board (the IJB) have identified Julie Murray, Chief Officer, as the individual with overall responsibility for records management in the authority.</p> <p>Ms. Murray has signed the cover sheet of the IJB's <i>Records Management Plan</i> (the <i>Plan</i>).</p> <p>The IJB have shared the Chief Officer's <i>Person Specification, Job Description and Appointment Confirmation</i> with the Keeper.</p> <p>As Chief Officer, Ms Murray chairs the Departmental Management Team.</p> <p>The Keeper agrees that East Renfrewshire Integration Joint Board has identified an appropriate individual to this role as required by the Public Records (Scotland) Act 2011 (the Act).</p>
2. Records Manager	<b>G</b>	<b>G</b>	<p>The IJB have identified Craig Geddes, East Renfrewshire Council Records Manager, as the individual responsible for the day-to-day implementation of the</p>

<p><i>Compulsory element</i></p>			<p><i>Plan.</i></p> <p>They have provided the Council Records Manager’s job description as evidence that this can reasonably be considered one of Mr Geddes’ duties.</p> <p>All public records of the IJB are held digitally on East Renfrewshire Council’s records management systems. The Keeper has already agreed the Council’s Records Manager is an appropriate individual to implement the Council’s own <i>Records Management Plan</i> (May 2016): <a href="https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-east-renfrewshire-council-and-east-renfrewshire-licensing-board.pdf">https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-east-renfrewshire-council-and-east-renfrewshire-licensing-board.pdf</a></p> <p><b>The IJB have indicated that they intend to supply the Keeper with a copy of the formal Memorandum of Understanding between the IJB and the Council. This would be welcomed as further evidence of the records management provision in the authority.</b></p> <p>In the meantime, the Keeper can agree that East Renfrewshire Integration Joint Board 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>All public records of the East Renfrewshire Integration Joint Board are held and managed on the records management systems of East Renfrewshire Council.</p> <p>The IJB has therefore adopted the <i>Records Management Policy</i> of the Council.</p> <p>East Renfrewshire Council <i>Records Management Policy</i> is available at: <a href="https://www.eastrenfrewshire.gov.uk/records-management-policy">https://www.eastrenfrewshire.gov.uk/records-management-policy</a></p> <p>In 2016, the Keeper agreed that the Records Management Policy of East Renfrewshire Council was appropriate for the management of records held by the</p>

			<p>Council.</p> <p>Therefore, the Keeper agrees that East Renfrewshire Integration Joint Board has adopted a suitable records management policy statement as required by the Act.</p>
4. Business Classification	<b>G</b>	<b>G</b>	<p>All public records of the East Renfrewshire Integration Joint Board are held digitally on the East Renfrewshire Council records management systems.</p> <p>The IJB therefore follows the <i>Business Classification Scheme</i> of East Renfrewshire Council which identifies its high-level functions and activities. East Renfrewshire’s <i>BCS</i> has been updated to include IJB records. East Renfrewshire Council’s <i>Business Classification Scheme</i> is available at:  <a href="https://www.eastrenfrewshire.gov.uk/business-classification">https://www.eastrenfrewshire.gov.uk/business-classification</a></p> <p>The Keeper has consulted the East Renfrewshire Council <i>Business Classification Scheme</i> and can confirm that it has been updated to include IJB records (for example page 6).</p> <p>Keeper agrees that the East Renfrewshire Integration Joint Board manage their public records in a scheme that provides structure to all records created or held as the authority pursues activities whilst carrying out its functions.</p>
5. Retention schedule	<b>G</b>	<b>G</b>	<p>All public records of the East Renfrewshire Integration Joint Board are held digitally on the East Renfrewshire Council records management systems.</p> <p>The IJB therefore follows the <i>Retention Schedule</i> of East Renfrewshire Council.  <a href="https://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=14286&amp;p=0">https://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=14286&amp;p=0</a></p> <p>Records created by the IJB will dealt with in the same fashion administratively as</p>



			<p>East Renfrewshire Council committees etc. when it comes to staffing, minute taking issuing papers etc.</p> <p>The Keeper agrees that the East Renfrewshire Council Retention Schedule web page has been expanded to include IJB records. Although the Retention Schedule does not specifically speak about individual 'departments' (such as the IJB) it does cover all activities generically. The IJB has provided the Keeper with examples of when this applies to IJB records. For example, Section 08.001.005 of the Council Retention Schedule (see link above) covers agendas, minutes and reports of external committees, partnerships and agencies and describes the retention period and disposal.</p> <p>The Keeper agrees that the East Renfrewshire Integration Joint Board have allocated retention decisions against their public records as appropriate.</p>
<p>6. Destruction Arrangements <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>All IJB Records are held electronically on East Renfrewshire Council's system therefore no hard copies will require destruction with the exception of signed copies of minutes which will be held as part of the Council <i>Disposal Policy</i>.</p> <p>This <i>Policy</i> is available at: <a href="https://www.eastrenfrewshire.gov.uk/destruction-arrangements">https://www.eastrenfrewshire.gov.uk/destruction-arrangements</a></p> <p>Destruction of electronic media and digital hardware is carried out in accordance with Council policies.</p> <p>Destruction of back-up copies held for business continuity purposes is undertaken by the Council (<b>see also element 10</b>).</p> <p>In May 2016 the Keeper agreed that the destruction process operated by East Renfrewshire Council were fully compliant with the standards expected.</p>

			<p>The Keeper agrees that the public records of the East Renfrewshire Integration Joint Board can be destroyed securely and irretrievably when appropriate as required by the Act.</p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>All public records of the East Renfrewshire Integration Joint Board are held digitally on the East Renfrewshire Council records management systems.</p> <p>Therefore, the IJB plan to utilise the archive facility of East Renfrewshire Council as a repository for records selected for permanent preservation.</p> <p>As the majority of the public records of the IJB are ‘born digital’ it is unlikely that an operational archiving system is in place. Digital archiving functionality is in very early stages in Scotland. As the IJB is a relatively new body, with no legacy material, it is also unlikely that there is an immediate requirement to transfer public records to archive.</p> <p>The Keeper has been provided with a copy of the archive transfer agreement between the Council and its archive service. This is publically available at: <a href="https://www.eastrenfrewshire.gov.uk/archive-transfer">https://www.eastrenfrewshire.gov.uk/archive-transfer</a></p> <p>The <i>Plan</i> states that IJB papers are allocated the same permanent retention decisions as Council Committee Management records. This is acceptable.</p> <p>The Keeper agrees that Renfrewshire Integration Joint Board has identified a suitable repository for the deposit of records selected for permanent preservation and that he has seen evidence that formal arrangements are in place to transfer such records when appropriate.</p>

<p>8. Information Security <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>East Renfrewshire Integration Joint Board uses the records management systems of East Renfrewshire Council to manage their public records.</p> <p>The records are therefore managed under the Information Security Policy of East Renfrewshire Council. This is available at:  <a href="https://www.eastrenfrewshire.gov.uk/information-security">https://www.eastrenfrewshire.gov.uk/information-security</a></p> <p>The Keeper has already agreed that the information security processes in East Renfrewshire Council are fully compliant (May 2016).</p> <p>It should be noted that NHS <u>staff</u> working with IJB records will be subject to the information security policies operated by their NHS Board in this case NHS Greater Glasgow and Clyde. These appear in the Board's overarching <i>Information Governance Policy</i>.  <a href="http://library.nhsggc.org.uk/mediaAssets/library/InformationGovernancePolicy09Jul02.pdf">http://library.nhsggc.org.uk/mediaAssets/library/InformationGovernancePolicy09Jul02.pdf</a></p> <p>The Keeper has already agreed that the information security practices in NHS Greater Glasgow and Clyde are fully compliant (October 2016)</p> <p>The Keeper agrees that East Renfrewshire Integration Joint Board has 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>As explained in the IJB <i>Plan</i> (under element 9), East Renfrewshire Integration Joint Board have adopted the <i>Data Protection Policy</i> of East Renfrewshire Council. This is available at:  <a href="https://www.eastrenfrewshire.gov.uk/data-protection">https://www.eastrenfrewshire.gov.uk/data-protection</a></p> <p>The Keeper has already agreed that the data protection provision of East Renfrewshire Council is appropriate (May 2016). Although the requirements</p>

			<p>changed after the introduction of GDPR/DP2018 in May 2018, the Keeper has no reason to suspect that the Council has not adapted its provision to map these changes.</p> <p>Data protection training for IJB staff is provided through the Council's training module. However, it should be noted that NHS staff using IJB records in partnership will be subject to the data protection policy of their employer. The Keeper has already agreed that the data protection provision of NHS Greater Glasgow and Clyde is compliant with the Act (October 2016).</p> <p>The Keeper agrees that East Renfrewshire Integration Joint Board has properly considered its responsibilities under the Data Protection Act 2018.</p>
<p>10. Business Continuity and Vital Records</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>All public records of the IJB are held digitally on the records management systems of East Renfrewshire Council and therefore the IJB relies on the Council's recovery systems to protect the public record in the case of unexpected loss.</p> <p>The Keeper has already agreed that the record recovery processes operated by East Renfrewshire Council are appropriate (May 2016).</p> <p>The extension of the Council's records recovery arrangement to include the record created by the IJB, but stored on Council systems, is confirmed by a Memorandum of Understanding between the IJB and the Council</p> <p>The Council's business continuity arrangements are publically available at: <a href="https://www.eastrenfrewshire.gov.uk/business-continuity">https://www.eastrenfrewshire.gov.uk/business-continuity</a></p> <p>The <i>Plan</i> states that "All services will continue to be provided or commissioned directly by NHS Greater Glasgow and Clyde or East Renfrewshire Council. As such there is no direct requirement for the IJB to have its own arrangements for business continuity of vital records." The Keeper agrees this in principle.</p>

			The Keeper agrees that East Renfrewshire Integration Joint Board have arrangements in place to recover records in a 'disaster'.
11. Audit trail	<b>G</b>	<b>G</b>	<p>The <i>Plan</i> (page 3) states that "Good recordkeeping practices lead to greater productivity as less time is taken to locate information".</p> <p>To this end the IJB have adopted the records tracking procedures of East Renfrewshire Council. In May 2016 the Keeper agreed that these were appropriate for locating the records managed on the Council's systems.</p> <p>The IJB Plan confirms that: "The IJB's records are created by NHS Greater Glasgow and Clyde and East Renfrewshire Council and are managed via East Renfrewshire Council."</p> <p>The Keeper agrees that East Renfrewshire Integration Joint Board have adopted processes that will allow the location of their public records and the identification of the correct version when located.</p>
12. Competency Framework for records management staff	<b>G</b>	<b>G</b>	<p>The IJB has identified the East Renfrewshire Council Records Manager as the individual with responsibility for the implementation of the IJB Plan.</p> <p>All the IJB's public records are held digitally on East Renfrewshire Council systems.</p> <p>The Keeper has already agreed that the Council Records Manager is an appropriate individual for managing the Council and Licensing Board public records held on East Renfrewshire's systems.</p> <p>In evidence the IJB has shared the Council Records Manager's <i>Job Description</i> with</p>

			<p>the Keeper. More details about this role and the skills (competencies) required have been made public at: <a href="https://www.eastrenfrewshire.gov.uk/competency-framework">https://www.eastrenfrewshire.gov.uk/competency-framework</a></p> <p>The Keeper agrees that the individual identified at element 2 has the appropriate skills, access and responsibilities to implement the IJB <i>Records Management Plan</i>.</p>
<p>13. Assessment and Review</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The Act requires a scheduled public authority to “keep its records management plan under review” (part 1 5.1 (a)).</p> <p>The IJB have ensured that East Renfrewshire Council’s <i>Records Management Plan</i> review process includes their public records. All IJB public records are held digitally on the Council’s records management system which is reviewed annually. The <i>Plan</i> confirm this (element 13): “The IJB relies on East Renfrewshire Council to ensure that the systems, policies and procedures that govern its records are regularly assessed.”</p> <p>A commitment to an annual review is repeated in the introduction to the IJB <i>Plan</i> (page 2).</p> <p>In May 2016 the Keeper agreed that the East Renfrewshire Council review processes were appropriate. These procedures are published at: <a href="https://www.eastrenfrewshire.gov.uk/assessment-review">https://www.eastrenfrewshire.gov.uk/assessment-review</a></p> <p>The Keeper notes that East Renfrewshire Council have provided him with regular updates on their <i>Plan</i> by undertaking voluntary progress update reviews. He commends this and agrees any future updates could be taken as applying to the public records of the IJB.</p> <p>The Keeper agrees that East Renfrewshire Integration Joint Board has arrangements in place to review their RMP as required by the Act.</p>

<p>14. Shared Information</p>	<p><b>G</b></p>	<p><b>G</b></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 East Renfrewshire Integration Joint Board the record of the Board itself are managed by a third party (the Council). For these reasons the Keeper must be satisfied that robust data sharing agreements are in place.</p> <p>The Keeper has already agreed that the information sharing provision in the Council is appropriate (May 2017).</p> <p>Statements in the Plan and evidence supplied make it clear that the Council has robust policies and procedures for info sharing, including Information Sharing Protocols (ISP). A sample ISP has been provided in evidence.</p> <p>The Keeper agrees that East Renfrewshire Integration Joint Board appropriately considers information governance when planning data sharing with third parties.</p>
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**East Renfrewshire Integration Joint Board**  
(For simplicity referred to as ‘the IJB’ in the assessment)

**General Notes on RMP, Including Concerns:**

Version

This assessment is on the *Records Management Plan* (the *Plan*) version 1.0, dated 26 October 2018 and submitted by East Renfrewshire Integration Joint Board (the IJB) for the Keeper’s agreement on 25<sup>th</sup> February 2019.

**All the public records of East Renfrewshire Integration Joint Board are digital and managed under East Renfrewshire Council record keeping systems. The Keeper of the Records of Scotland has already agreed the Records Management Plan of East Renfrewshire Council: <https://www.nrscotland.gov.uk/files//record-keeping/public-records-act/keepers-assessment-report-east-renfrewshire-council-and-east-renfrewshire-licensing-board.pdf>**

The *Plan* states that robust records management processes allow an authority to:

- “Demonstrate accountability.
- Provide evidence of actions and decisions.
- Assist with the smooth running of business.
- Help build organisational knowledge.” (*Plan* page 3)

The Keeper agrees that the IJB’s *Plan* should assist these aims.

The *Plan* mentions the Act and is based on the Keeper’s, 14 element Model Plan <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan>.



## 6. Keeper's Summary

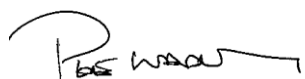
Elements 1 - 14 that the Keeper considers should be in a public authority records management plan have been properly considered by East Renfrewshire Integration Joint Board. Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper **agrees** the RMP of **East Renfrewshire Integration Joint Board**.

- The Keeper recommends that East Renfrewshire Integration Joint Board 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 East Renfrewshire Integration Joint Board. In agreeing this RMP, the Keeper expects East Renfrewshire Integration Joint Board to fully implement the agreed RMP and meet its obligations under the Act.



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